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CHILD PORNOGRAPHY AND PEDOPHILIA

HEARINGS

BEFORE THE

PERMANENT
SUBCOMMITTEE ON INVESTIGATIONS

OF THE

COMMITTEE ON
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

NINETY-EIGHTH CONGRESS

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CHILD PORNOGRAPHY AND PEDOPHILIA

THURSDAY, NOVEMBER 29, 1984

U.S. Senate,
Permanent Subcommittee on Investigations
of the Committee on Governmental Affairs,
Washington, DC.

The subcommittee met at 10:08 a.m., pursuant to call, in room SD-342, Dirksen Senate Office Building, under authority of Senate Resolution 354, section 13(a), agreed to March 2, 1984, Hon. William V. Roth, Jr. (chairman of the subcommittee) presiding.

Member of the subcommittee present: Senate William V. Roth, Jr., Republican, Delaware.

Also present: Senator Arlen Specter, Republican, Pennsylvania.

Members of the professional staff present: S. Cass Weiland, chief counsel; Eleanore J. Hill, chief counsel to the minority; Nicholas L. Chiarkis, deputy chief counsel; Katherine Bidden, chief clerk; Charles Morley, chief investigator; Barbara Jeanne Cart and Paul Barbadoro, majority staff counsels; Bruce Selcraig, staff investigator; Charles Osolin, press secretary; and Sarah Presgrave, executive assistant to the chief counsel of the majority.

[The letter of authority follows:]

U.S. Senate,
Committee on Governmental Affairs,
Senate Permanent Subcommittee on Investigations,
Washington, DC.

Pursuant to Rule 5 of the Rules of Procedure of the Senate Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, permission is hereby granted for the chairman, or any member of the subcommittee as designated by the chairman, to conduct upon and/or executive session hearings without a quorum of two members for the administration of oaths and taking testimony in connection with hearings on child pornography and pedophilia. These hearings are to be held on November 29, and 30, 1984.

William V. Roth, Jr.,
Chairman.

Sam Nunn,
Ranking Minority Member.

OPENING STATEMENT OF SENATOR ROTH

Chairman Roth. The subcommittee will please be in order.

Let me start out by saying we are very pleased to be joining together with my good friend and colleague, Arlen Specter, who is the chairman of the Juvenile Justice Subcommittee of the Judiciary Committee. We are very pleased that you are here, and we know of the good work and interest you have taken in this same problem.

For more than 35 years, as you well know, this subcommittee has looked at virtually every aspect of traditional organized crime. Today we will focus our attention on a crime which, though rarely violent—belongs up there beside the most pernicious acts ever committed by so-called organized crime.

Today we are beginning hearings on the underground world of commercial child pornography and pedophiles, criminals whose abnormal sexual attraction to children leads them into a vicious cycle of sexual molestation and child abuse.

Very frankly, this is not an easy subject to discuss in sanitized, academic terms. It is difficult to take the sex out of sexual abuse, but our society is now beginning to teach itself about the crime it has tried for so long to ignore. I believe these hearings are one more step in that process. If something said here today or tomorrow can stop the exploitation of even one child, then I believe our time has, indeed, been well spent.

First let me discuss some basic facts, for this is still an often misunderstood, misreported subject. There is no doubt that child pornography and child molestation are closely linked. In thousands of well-documented cases throughout the United States over the past decade, police have found that an overwhelming majority of child molesters collected or produced commercial and private child pornography. And the pedophile is obsessed with capturing the innocence of his victim on film, or now with new technology, video tape.

This recorded evidence of child molestation serves several purposes for the pedophile; primarily arousal, but also important, it gives pedophiles something to exchange to reassure themselves that their behavior is not unique. Experts also agree that child pornography often is used by pedophiles to lower the inhibitions of their victims to convince children, small children, that many other children do the same thing and that there is nothing wrong with it.

Child pornography serves still another vital function for the pedophile—it becomes a method of blackmail, a constant reminder to the small molested child who, more than anything else, fears the rejection of parents, friends, and family members.

During our recent investigation, the subcommittee staff has interviewed scores of child pornography and pedophilia specialists, doctors, lawyers, judges, social service professionals, and even child molesters themselves. We have learned that most experts believe that the sexual exploitation of children may be one of the most under-reported crimes in our society. Unfortunately, by the time a particular child molester is stopped, he or she will have molested, depending on preference, an average of 37 boys or 63 girls.

Tomorrow our attention will turn to law enforcement and the innovative methods being used to target, arrest, and convict distributors of child pornography. An important element of that testimony will detail the activity of several organizations in America—this is hard to believe—but several organizations devoted to the advocacy and practice of sex with children. These organizations, which are said to have several thousand members and supporters both in the United States and abroad, are publicly advocating the repeal of age-of-consent laws. In other words, they are trying to make it legal. But in addition, they and their members are actively promoting, in effect, molestation of children, including prostitution and the distribution of child pornography.

We are very pleased to have a distinguished number of witnesses here today, but before we start on that, I want to call on Senator Specter who, among other things, recently had the opportunity to call on authorities in the Netherlands. Senator Specter.

OPENING STATEMENT OF SENATOR SPECTER

Senator SPECTER. Thank you very much, Mr. Chairman. At the outset, I commend you, Senator Roth, for convening these hearings on this very important subject which will reach the question of importation of obscene materials to the United States from foreign sources.

As you have noted preliminarily, the Juvenile Justice Subcommittee has held an extensive series of hearings on this and related subjects, leading to the enactment of a tougher obscenity law as related to child pornography which was signed into law by the President in April and following the decisions of the Supreme Court of the United States which have established a different standard as obscenity and pornography relates to children that the first amendment considerations, as to consenting adults, and publication of materials does not apply when children are involved, which, requires and gives approval for more stringent law enforcement action in the field.

I have had an opportunity to work in this field since being prosecuting attorney many years ago and can personally attest to the change in the kinds of materials which are now available on child pornography, and I concur with you, Senator Roth, that there is a causal connection between the expansion of child pornography and sexual molestation, a subject which we have seen an enormous increase of in the United States. I believe that it is reported more now but also that there is more of it. And it is my sense, in agreement with you, that there is a causal connection between these materials which are being distributed freely.

I was concerned to note on the exchange of correspondence which you have with the State Department that there has been no general diplomatic effort to inhibit foreign production from coming into the United States and that is a subject which, or course, we will be addressing in these hearings.[1]

A Senate delegation was at the NATO Assembly meetings earlier this month and a number of us took occasion to visit the Justice officials in the Netherlands which, along with Denmark, is the source of so much of this pornographic literature. At that time, we had a five-Senator delegation—Senator Randolph, Senator Pressler, Senator Murkowski, and Senator Zorinsky—and discussed with the Ministry of Justice officials in the Netherlands ways in which this flow of materials might be impeded.

The officials in the Netherlands advised us that they had no information that pornography was being manufactured in the Netherlands. When we had finished that meeting, we stopped at a so-called sex shop in the Netherlands and found an amazing, lurid display of obscene materials which bore manufacturing lines from the Netherlands, so that the production is going on really right under the nose of the Netherlands officials, and as we were advised by the proprietor of the store, anyone can come in and buy it regardless of age.

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[1] The correspondence referred to may be found in the appendix on p. 70.

One of the difficult things to convey, given the presence of television cameras and polite society, even at Senate hearings, is the revolting and disgusting, lurid nature of these kinds of materials. To really understand the problem, you really have to see them, but it is so difficult to show them even under these circumstances.

So I am pleased to participate with you, Senator Roth because I do believe that the safety of the youngsters in our country is an issue in very substantial numbers when the pedophiles have, as you say, on the newsstands books like "How to Have Sex With Kids," to justify this kind of conduct, and these magazines are circulated which do promote ravishing and corruption of morals of minors and contributing to the delinquency of minors. There has to be a concerted effort for which will reach foreign shores. I think these hearings are very important in that line. I thank you for the opportunity to participate.

Chairman ROTH. Thank you, Senator Specter. We are very pleased to have as our first witness today William von Raab who is the Commissioner of the U.S. Customs Service. Joining him is Customs Special Agent Jack O'Malley from Chicago who has a wealth of experience and background in this area. We are pleased to have both of you. It is the rule of this subcommittee that all witnesses must be sworn, so I would ask that both of you please stand and raise your right hand.

Do you swear the testimony that you will give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. VON RAAB. I do.

Mr. O'MALLEY. I do.

Chairman ROTH. Please be seated. Mr. von Raab, would you please proceed. May I first congratulate you for the interest you have taken in this matter because I think it is very important.

TESTIMONY OF WILLIAM von RAAB, COMMISSIONER, U.S. CUSTOMS SERVICE, ACCOMPANIED BY JACK O'MALLEY, CUSTOMS SPECIAL AGENT, CHICAGO

Mr. VON RAAB. Thank you, Chairman Roth, Senator Specter. I would first like to applaud you for holding these hearings and, second, to thank you for inviting me here today to testify on what I view is an unpleasant but critically important issue facing our society. I first addressed this issue at a White House meeting early on in the Reagan administration at which meeting the lax enforcement of our Nation's obscenity laws was discussed. The Nation's moral health was at stake and at that meeting, with the encouragement of President Reagan, I committed the Customs Service to a renewed emphasis to stop the increasing flow of pornographic materials into this country.

Now, many months later, I come before this subcommittee to say that I am proud of our growing success with this program, and I am pleased to report that our increased efforts in this area are having a significant impact on the illegal importation of those materials. We are stopping illegal importation of obscene books, magazines, films, video tapes, and other materials on a daily basis. And, more importantly, we are starting to put criminals behind bars.

While Customs is resolved to stop the flow of all pornography, we have particular concern for the injury this vile practice causes children. Of the 4,266 pornography seizures made in fiscal year 1984, approximately one-half involved the exploitation of children. Our mail investigations have led to the arrest of numerous child pornographers, recipients of child pornography, pedophiles and child molesters.

Customs currently has some 65 pornography cases under investigation, most of which involve crimes against children. From these cases, it is apparent that there is a direct link between many of the people who regularly receive child pornography and child molesters.

Additionally, several child pornography recipients now being investigated by Customs are engaged in occupations which place them in close contact with children. This includes teachers, family counselors, clergy, and medical personnel.

This sordid link, which our investigations seem to be revealing, offers a glimpse at what is to me a shocking cause and effect relationship between child molesting and child pornography—a link which must be exposed and then broken.

For example, Customs recently intercepted a movie depicting youths in various homosexual situations. The intended recipient of the materials was identified by Customs agents and was determined to match the description of a suspected child molester being sought by local police. The suspect was arrested and convicted of molesting children while working for a volunteer organization. He was sentenced to a year in prison and 7 years probation.

Just last July, a 9th and 10th grade teacher was arrested after a controlled delivery of a film depicting children in sexual acts. A search of his residence resulted in the discovery of other child pornography, including explicit films. In August, the subject was arrested and pled guilty to Federal charges.

Another case, which was successfully concluded only 2 weeks ago, involved a controlled delivery and subsequent search of a suspected pornography violator's residence. Over 100 items of child pornography were discovered during the search of this residence, including photographs which showed the violator participating in sexual acts with children. The violator had previously been arrested for taking indecent liberties with children.

The Child Protection Act of 1984, which was signed by the President last May, greatly strengthens Customs' ability to seize and forfeit merchandise and to refer violators to the Justice Department for prosecution.

For example, no longer must illegally imported materials be intended for sale or distribution for sale. Deleting the commercial distribution requirement and expanding coverage of the law to trade or exchange situations removed a major hurdle in prosecuting pornography cases.

In addition, the new law raises the definition of "minor" from 16 to 18 years of age. This change allows our mail specialists more easily to identify violative material. It is much easier to distinguish between a 14-year-old and an 18-year-old than a 14-year-old and a 16-year-old. The Government's burden of proof during prosecutions to establish the age of the child has also been eased by this change.

The new law also eliminates the requirement that the material depict children actually engaged in sexual activity for the material to be seized. The mere suggestion of sexual activity is now sufficient to constitute a violation.

All Customs employees involved in this program have been educated in the provisions of the Child Protection Act and the procedures to enforce it. Since its enactment, I have been receiving reports nearly everyday directly from Customs officers in the field advising me of seizures in the mails and of arrests of child pornography recipients.

I am particularly proud of the fact that Customs agents in North Carolina made the first arrest under the new law. The U.S. attorney there, Mr. Currin, has been particularly supportive of our efforts, and this support was instrumental in my recent decision to conduct an intensified international mail examination operation in Wilmington, NC. During a 10-day period, this operation resulted in over 50 pornography seizures, many of which were forwarded to field offices for investigation and prosecution.

A side benefit of this operation was that it also resulted in six interceptions of mailed narcotics.

On our own initiative, and as a result of suggestions made by participants of the White House meeting, I have undertaken a number of other actions to improve our ability to stop the importation of child pornography. I would like to take this opportunity to update you on our endeavors.

We have augmented our staff with additional mail specialists, and we have provided our major mail facilities with additional equipment so that suspect merchandise can be more quickly examined. Intensified training and profile recognition has increased our mail specialists' expertise in discovering suspect material, and in determining whether to forward the material for investigation. An integral part of our enforcement team is our regional counsels who provide legal and technical guidance where ever it is needed. This intensified effort by Customs is extremely successful. We are getting a great deal of this vile merchandise, and I think we're beginning to make a real difference.

As part of our special enforcement operations, we have conducted a series of blitzes at our mail facilities periodically since May of 1983. Partially as a result of these blitzes, pronography seizures in 1983 increased 120 percent over 1982 and seizures in 1984 have been more than double those of 1983.

We have also tested our previous method of profiling or identifying source countries during the blitzes and confirmed our indicators that approximately 85 percent of all imported pornography originates in the Netherlands, Denmark, and Sweden. Our mail facilities pay particular attention to mail from these countries. The fact that our blitz operations on other countries resulted in very few seizures has validated our contention that the profiles used by our mail branches are well targeted and adaptable to changing mailing procedures from foreign countries.

Several times today I have mentioned controlled deliveries. This is one of our most common and successful investigative tools. It involves the delivery of mailed material to the recipients under the control of the postal inspectors and customs agents. This technique is utilized by our agents when there is a likelihood of obtaining additional evidence at the violator's business or residence. We have made dozens of controlled deliveries leading to numerous arrests and indictments of offenders, substantial seizures of pornographic materials and successful prosecutions.

Successful programs to halt the flow of child pornography require close cooperation and coordination between domestic law enforcement agencies and increased joint efforts in source countries. As a result, we have substantially increased our liaison and intelligence-sharing activities with foreign officials concerning this problem.

For example, the assistant regional commissioner, in the north central region, has provided the U.S. Customs attaché in Bonn with listings of child pornography distributors in the Netherlands, Denmark, and Sweden. This information has now been supplied to law enforcement authorities in those countries, and cooperative enforcement efforts are currently underway in attempts to obtain U.S. mailing lists and other information from the overseas suppliers of pornographic material.

In addition, U.S. Customs has recently increased its enforcement presence in Bonn and has submitted formal proposals for establishing new investigative offices in Sweden and the Netherlands. One priority of these offices will be to coordinate U.S. Customs domestic activities with foreign law enforcment authorities to initiate operations to curb the pornography trade and to more adequately enforce those existing antipornography laws which are in effect in the exporting countries.

We are not the only country faced with this problem. Our northern neighbor is also experiencing an increase in shipments and seizures of child pornography. Consequently, our Customs attaché in Canada recently cohosted a U.S. Customs-Canada conference in Ottawa in which we described each of our experiences, ideas, and techniques in the area of pornography enforcement. We consider Canadian Customs to be a close ally and a potentially valuable source of assistance in combating the pornography trade.

Recently we have found many local governments to be responsive when we call them. For example, a recent case in New York was successfully prosecuted on State charges after a Federal prosecution was declined. In another case in Indiana, a subject was prosecuted on State violations after a pornography interception in Chicago. It is anticipated that this trend will increase in view of the increased concerns of our private citizens regarding child pornography.

In addition to our formal emphasis of this program, I have sent a message to all Customs employees stressing my personal concern about the influence pornography is having on our country. I want all Customs officers, indeed all the Nation, to be outraged by this trash and to join our struggle to eliminate it.

I hope that you all watched the NBC production called "The Silent Shame." I have given this program my wholehearted support because it was so important that the public be aware that pornography, particularly child pornography, is not a victimless crime.

I feel certain that the collective efforts undertaken by your subcommittee, the President, and by the various enforcement agencies is having an impact.

To underscore this point, I have with me a copy of a child pornography magazine. It's the same one up there as provided to you except it happens to be the next edition. And in this particular magazine, I am proud to say that the U.S. Customs Service, and myself in particular, is singled out by this particular pedophile magazine with particular criticism with respect to our activities in combating child pornography. The article asks rhetorically if what we are doing is legal, but is clearly meant as a warning to its readers that Customs is hot on their trails.

The actions of the Customs Service to put a stop to the illegal traffic in child pornography have apparently created quite a stir among those who receive it. I have also been shown advertisements which guarantee delivery or redelivery or refund if the items mailed to them are seized by us.

I am pleased this pervasiveness and the depravity of child pornography has received increased national attention and the attention of this subcommittee. Just as in our war against drugs, we have a long way to go before we can declare a victory in our battle against pornography. We are determined to continue our fight and to encourage other law enforcement officials to join us in our goal of removing this tragic and evil influence from our society.

This concludes my formal testimony, and I will be happy to answer any questions. I am particularly delighted that Agent O'Malley is here because in spite of the all the policy statements I can make and the allocation of resources, the real work is being done at the field level and Customs is very proud of our efforts and of the good cooperation, as I indicated, with State and local authorities. So thank you very much.

Chairman ROTH. Thank you. Before we proceed with questions, I would like to invite Mr. O'Malley to make any comments he may care to make. He, I think, is an individual who has had tremendous experience and background in trying to interrupt this supply of pornography from abroad.

As can be seen, he is surrounded with any number of publications which are carefully covered up because I think the American people would be outraged, shocked, unbelieving if they really could see what is included in those documents. At this time, we will be happy to have any comments you care to make.

Mr. O'MALLEY. Chairman Roth, Senator Specter, I agree with you wholeheartedly the American public would be shocked and indeed outraged if they knew just how sexually explicit this material is. I don't think many people understand it. I did not before I started working with the program. I was not aware just how blatantly obscene these materials were until I started with the program.

Most of these magazines displayed concern a specific case we worked on in Chicago. They are the byproduct of a search warrant.

They are indicative of the heterosexual child pornography magazines that come from the Scandanavian countries, detailing and depicting every conceivable explicit sexual act, and some of them even have a running narrative carried in several languages which describe in the views of the child or the adult, that these activities are indeed wholesome and the child does benefit from them emotionally, sexually, and otherwise.

Just a brief description of our program in Chicago. Beginning in February 1984, we conducted a 100-percent mail purge of incoming, what we consider source country mail, from Sweden, Denmark, and the Netherlands. We intercepted approximately 300 items of pornography of which 200 items were considered child porn. Of that number, 30 to 40 percent were multiple intercepts.

The Justice Department, as you know, has specific criteria for prosecution of child pornography cases, and we structured those targets that we felt were best suited for prosecutive action. I don't know how much time you would like me to spend here, but I brought some sample mail parcels.

The Commissioner talked about our specialists in the mail branch. The distributors use a variety of means to avoid Customs detection. I brought several samples. Most of them are from Denmark. Some are designed to appear to be personal correspondence between family members. Others contain labels of professional societies. One of the larger distributors, COQ International from Copenhagen, has down sized their mail parcels to make it even harder to detect. Just a variety of different intercepts.

Another problem we face is demonstrated in magazines like "Nymph Lover," "Lolita", "Incest," "Linda," and "Patty." In "Nymph Lover," there is an ad:

> Turn your old pre-teen photos to money. We pay top price for amateur photos, even imperfect ones. Your contribution will be greatly appreciated and will help us to continue this series. As an extra bonus, we aim to bring an amateur photo column in our next issue.

The detective from the Los Angeles Police Department will be able to give more specific information as to the victims depicted in the magazine.

Chairman ROTH. Let me interrupt and ask one question. When we are talking about child abuse, we are talking about very young children. They can be 3, 4, 5; is that correct?

Mr. O'MALLEY. An examination of the more common magazines you see here, the youngest child, if I can guesstimate the age, would be 18 months.

Chairman ROTH. Eighteen months. That is unbelievable.

Mr. O'MALLEY. An adult male is trying to penetrate that 18-month-old girl in the photo. A lot of these children, as you might expect, are expressing on their face a great deal of pain as they are encountering these sexual exploits with the adults.

Chairman ROTH. Let me ask one of you gentlemen some questions and then we will turn over to Senator Specter for any additional line of questioning. Am I correct in understanding the reason Customs is a key player in this interdiction, is that the fact that domestically there is not a ready supply of child pornography. You don't find it in our local porn shops, whatever you want to call them, so that the main source of this material is from foreign countries. Is that correct?

Mr. VON RAAB. I am happy to say I am not an expert on the availability of domestic child pornography, however, I understand that is a correct statement, and that the child pornography coming across the borders constitutes an essential ingredient in the flourishment of these pedophiles, and that their major source for obtaining this pornography would be from the international sources.

Chairman ROTH. That is the reason your agency is so critically important. You're the principal means of interrupting that souce of supply.

Mr. VON RAAB. Along with the Post Office, of course, because as soon as it does pass through Customs, it is the Post Office's responsibility, so we work together with them. But, yes, we are the organization whose law is being violated by the importation or, in this case, the attempted smuggling of child pornography into the United States.

Chairman ROTH. I was interested in your testimony on the cooperation from foreign officials. As you may know, I have, together with other Senators, written the Secretary of State as well as a number of prime ministers in the countries thought to be the most responsible as sources of child pornography. You indicated a number of steps have been undertaken, but we get the impression that at least in some of these countries, they don't look upon this as seriously as we do.

Mr. VON RABB. Well, I wouldn't attempt to characterize the cooperation. Certainly the Swedish officials with whom I have dealt, in this case the Customs officials, are as concerned about this problem as I am.

They have offered me their complete cooperation to provide whatever information they can. Certainly in the case of Sweden, they would not condone the production of child pornography.

Chairman ROTH. Do you know what their laws are regarding child pornography?

Mr. VON RABB. I am not aware of specific laws against child pornography in Sweden, but the production of it does involve the molestation of minors and, in that sense, it would be a violation of the Swedish laws.

The Danish officials I had less contact with, although the correspondence we had with them would indicate potential for cooperation.

The Dutch officials, on the other hand, have remained relatively silent in this area. As you know, Amsterdam is sort of the 1984 version of Sodom and Gomorrah, and I am sure any cooperation in Amsterdam must necessarily be a reflection of the attitudes, so I would expect less cooperation but I would be hopeful we would receive it.

Chairman ROTH. What about the case of Denmark?

Mr. VON RABB. Denmark, as I indicated concerning our initial correspondence with Danish officials, has shown there is some potential for greater cooperation. The best cooperation we have seen so far has been with Sweden.

Chairman ROTH. You said there has been some decrease in the supply, in recent months, in the amount of material being sent in. Is that correct?

Mr. VON RABB. We believe there has been a decrease. Our seizures have remained fairly constant, but with the reduced amount we have seen coming through, therefore, we are taking a bigger percentage of a smaller amount. But there is always the possibility of moving—moving this around to a different country, mailing it from another country. So it is always difficult in the smuggling business to give you a finite answer as to the decrease, but certainly the reports I have read would indicate a reduction. For example, in the same magazine, there was a complaint made on the editorial page of the crackdown by U.S. officials and English officials on child pornography and so they stated they were very unhappy to disappoint the subscribers that there would not be any naked pictures of children in the magazines from now on because of the crackdown that had been taking place in the United States and Great Britain. So that sort of indication would tell me our efforts are starting to show some success, and, as you know, even in the Netherlands, they have started to crack down on child pornography in certain areas.

Chairman ROTH. Do you think "The Silent Shame," NBC, has had an impact on the flow? I unfortunately didn't see the show.

Mr. VON RABB. I really do. I think it had a tremendous impact in this country, obviously, because it is such a terrible thing and it is silent. Most people aren't aware of it. They don't want to know about it, not because they are afraid of it but because it is unpleasant. Also, it had a tremendous impact on the officials abroad. I think many of them were very embarrassed by what was shown in that film.

Chairman ROTH. Has that film been distributed at all in the Scandanavian countries named or elsewhere, do you know?

Mr. VON RABB. I don't know the answer to that.

Chairman ROTH. Do you think that would be a helpful factor?

Mr. VON RABB. Yes, I do. I think it was a very effective film.

Chairman ROTH. I am convinced that if a typical citizen of those countries saw that film, from what I have heard about it, that it might create an uproar that would help stamp out the problem in those countries.

Mr. VON RAAB. I agree.

Chairman ROTH. I am going to see whether or not that film can't be made available to those countries through our Government.

Let me ask you this question about how widespread this problem is. Are we able to identify who is receiving this information nationwide? Is it a network or is it individuals? As I understand it, organized crime in this country is not involved to any large degree in the problem of child pornography. Do you have any information on this?

Mr. VON RAAB. I would pass that on to Special Agent O'Malley, but I can tell you the Customs Service, because of the laws under which it operates, is required to maintain information on any seizures that it makes, and it is from this list that we have been able to compile the so-called repeat recipients, and so we are developing a sense of the recipients of child pornography and the volumes that they receive. I wouldn't say it is necessarily an organized network, but there is certainly an informal network out there of child pornography recipients and pedophiles. They write to each other; they use the same mailing list. As Special Agent O'Malley—they even put advertisements in their magazines trading little children back and forth for either personal purposes or photographic purposes but in terms of the involvement of organized crime, I think it would be useful if Agent O'Malley answered that question.

Chairman **Roth**. I would appreciate that. Special Agent O'Malley, also would you testify as to how this material is distributed from your own personal observation?

Mr. **O'Malley**. To answer the first question, Mr. Chairman, it is my experience in Chicago, by close contact with organizations such as the Chicago Police Department and informants within the adult book store network, which is primarily run or is alleged to have been run by organized crime, that child pornography is not available.

Chairman **Roth**. Why is that?

Mr. **O'Malley**. They have told us that it is too hot to handle and that even goes as far as some beastiality. So child pornography and beastial material are almost exclusively imported into the United States and then distributed from that point.

Chairman **Roth**. So you really have a distribution based on an underground network of individuals? There is no large distribution system, as I understand it. It goes to individuals in this country, primarily, not to photography distributors?

Mr. **O'Malley**. We have analyzed the seizure list the Commissioner talked about from the west coast, east coast, and Midwest and occasionally you will see a business name on the lists, such as a photographic studio or some business, but it is usually a person who does not want the material sent to his residence or post office box. It is our experience in Chicago, and it may be different elsewhere in the country, that the materials we are intercepting are destined to be received by individuals or an individual for his or her own gratification. These materials may then be traded with other persons with similar interests, but generally, it's a mail parcel directed to an individual.

Mr. **von Raab**. From conversations I have had with our overseas agents, it is their personal belief, and we haven't examined this in detail, that the individuals involved in the production, distribution and mailing of this material to the United States are usually the criminal element. I mean, they may masquerade as good businessmen, but they are usually closely associated with criminal figures in their country.

So in terms of so-called organized crime, I think you might look abroad more for the connection with criminal element rather than the recipient in this country.

Chairman **Roth**. Of course, our principal concern is protection of the children. Again, my understanding is that even though most of this material comes from abroad, it often includes pictures of American children being abused; that local pedophiles will take their own pictures and send it, to the pornography producers, either for money or other purposes. Special Agent O'Malley, would you care to comment on that?

Mr. O'MALLEY. That seems to be the case, Mr. Chairman. The magazines I mentioned actively solicit the persons that are buying them or ordering them for homegrown products, photographs of their own children or photographs of other child victims to be disseminated through these magazines—8 millimeter films, video cassets or still photographs.

Chairman ROTH. Can you characterize who gets involved with this? Is it primarily runaway children? Are the pedophiles essentially from one economic climate, one area, or is it broader based than that?

Mr. O'MALLEY. My expertise is not really in the area of pedophile behavior. In the cases we have worked, we have seen sexual contact with children in approximately one-half of the cases we worked. As the Commissioner mentioned, from controled deliveries with subsequent execution of a search warrant, we have found homegrown materials of victims. As in this current case, I have brought photographs you have seen, a person victimized a number of children and threatened them that if they didn't continue to cooperate that he would have the material published, and in approximately 50 percent of the cases we have seen, there has been actual sexual contact with them.

Chairman ROTH. Senator Specter.

Senator SPECTER. Thank you very much Mr. Chairman. Commissioner, where you say that there has been a crackdown in the Netherlands, I would be interested to know the basis for that because in the conversations with the Senate delegation, of which I was a part, had with the Ministry of Justice officials in the Netherlands, they expressed themselves not even knowing that there was any pornography being produced in the Netherlands.

Mr. VON RAAB. The results of the crackdown are yet to be seen, but they have passed legislation in some of the municipalities prohibiting the production, and I guess the sale, as well, of pornography involving children under 16 years old.

Senator SPECTER. I don't think that is right. What has happened is it has passed one House——

Mr. VON RAAB [interposing]. I am sorry, you are right. They have removed some from the shelves, not completely. I agree with you——

Senator SPECTER [interposing]. I don't think they have. I don't think they know it is on the shelves, to know which shelves to go to to remove it based upon the direct conversations we had with the Minister of Justice and prosecuting attorney and the police officials. It is going to take, I would suggest, quite an effort on our part, to acquaint them with the details of the problem as to what is coming into this country.

Mr. O'Malley, among the books on your table, do some of them bear the imprint of manufacture in the Netherlands?

Mr. O'MALLEY. The older issues contain that, Senator, "distributed by," normally distributed by or "product of." The newer magazines refrain from any narrative whatsoever.

Senator SPECTER. On November 14, 2 weeks ago, I bought magazines in a sex shop in the Netherlands which bore the Netherlands stamp of manufacture, which would be presumptive that it is accurate.

Mr. VON RAAB. Senator, if I might on that point, you are absolutely right. As a matter of fact, this PAN book up there, PAN is published five times a year in Amsterdam, Netherlands. There is a perfect example of the——

Senator SPECTER. Mr. Commissioner, I would suggest to you a starting point would be to make that evidence available to the officials of the Netherlands who, as of November 14, weren't aware of its existence; so you can start the process, at least informing them about what is coming into the United States.

When you comment about the movie, "The Silent Shame," that has caught the attention of the Netherlands officials and they are concerned about it, and it is that kind of pressure, I think, which will ultimately have some effect on them, but it is going to require some substantial effort on our part.

Special Agent O'Malley, I think it would be useful for the record if you would describe what those magazines depict, so there is some understanding on the part of those listening and viewing as to what is actually being shown in those photographs.

Mr. O'MALLEY. In general an overview of all the magazines?

Senator SPECTER. Yes.

Mr. O'MALLEY. Each magazine is somewhat different in the sexual activity portrayed. It is safe to say you will find sexual intercourse between adult males and small girls, as I mentioned before. Fellatio, cunnilingus, insertion of foreign objects——

Senator SPECTER [interposing]. Sodomy involving children?

Mr. O'MALLEY. Sodomy and insertion of foreign objects, which is a popular theme in many of these magazines, into the vaginal area.

Senator SPECTER. In the pictures, it is clear you are dealing with children 10, 11, and 12 years of age.

Mr. O'MALLEY. And some much younger.

Senator SPECTER. As young as 18 months?

Mr. O'MALLEY. I am guesstimating based on some of the photographs, which are not very clear.

Senator SPECTER. But it is plain there are infants involved.

Mr. O'MALLEY. Yes, that's correct.

Senator SPECTER. With respect to what the Customs officials can do, Commissioner, what must be determined by way of probable cause before Customs can intercept something coming into this country?

Mr. VON RAAB. Well, the Customs Service makes a determination initially as to whether something is obscene, and then it refers that to the U.S. attorney——

Senator SPECTER. Well, an envelope comes in and Customs officials will see an envelope. What do you have to determine from the face of the envelope, if anything, which would justify your intercepting it?

Mr. VON RAAB. If we suspect that there is something in there other than a letter, we have a right to open that mail.

Senator SPECTER. What is the basis of suspicion, do you mean just a hunch?

Mr. VON RAAB. Our chief counsel is here and probably can give you a more accurate answer.

Senator SPECTER. Identify yourself.

Mr. von Raab. Richard Abbey, chief counsel of the Customs Service. If I may permit, he is not sworn. Do you want to swear him in?

Chairman Roth. No, that is all right.

Senator Specter. Mr. Abbey, what are the rules which justify interception by Customs? Do you have any analog or similar requirement, probable cause for search and seizure?

Mr. Abbey. No, the Supreme Court has upheld our authority to open up any package, any mail item which is suspected of containing items which are subject to duty or examination.

Senator Specter. What is the definition of suspected?

Mr. Abbey. It is the least suspicion; a belief from the size of the envelope, from the place that it comes, from feel of the envelope.

Senator Specter. Are you saying you could open up every envelope that came in?

Mr. Abbey. Yes; we could open it up. If we determine there is nothing in it, we are required to close it; we do not go any further. We cannot look at the written material in there.

Senator Specter. And this applies to anything which comes in international mail?

Mr. Abbey. In international mail, that is correct.

Senator Specter. That is pretty broad authority.

Mr. Abbey. It is extremely broad authority, but as the Supreme Court has recognized, the borders are a place where extreme caution has to be taken. Consequently, the broad exception to the fourth amendment has been approved by this court.

Senator Specter. Given that breadth of inspection authority, you can really pretty much stop which comes through the mails and from other countries, can't you, Commissioner?

Mr. von Raab. We are trying, and we are looking at just about all the mail which comes from what we regard as source countries. I always hesitate to declare something a success, but I will say the individual who put together "The Silent Shame" did say at one point he did run into problems trying to get materials for his program because it all got stopped by Customs. I think we are having some success there in terms of stopping this, but I can't pretend we are getting all of it because we don't open all the mail, obviously, and we only open the mail we suspect would contain this. I am sure some elaborate precautions are taken by individuals to get some of this through.

Senator Specter. I am glad to hear the legislation which was enacted by Congress this spring has been of assistance to you removing the commercial requirement. I think if you an stop the international importation, you can really control child pornography because it is not seen on the newsstands in Chicago, Pittsburgh, or Philadelphia, because our laws are sufficient to stop child pornography from being sold. The realities are that as to materials involving adults, prosecutions are not brought because of first amendment protections. The Supreme Court has articulated a different standard for the children's material which can be stopped. So it is in your hands, Commissioner, and I am glad to see the aggressive course you are taking. Thank you, Mr. Chairman.

Chairman **Roth**. Just one final question. Would it be helpful internationally, if there were some formal procedures for exchange of information in this area? Have you explored that possibility?

Mr. **von Raab**. Yes, all of Customs' efforts internationally have been on an informal basis with our friends in other Customs services. There is no question but some more formal, structured system of cooperation, including the information exchange, would be helpful; without a question.

Chairman **Roth**. Because essentially all the Customs officers of different countries would know what is going through. They wouldn't necessarily know what is being produced at home.

Mr. **von Raab**. That is correct.

Chairman **Roth**. This would be an area that would be worthwhile for our State Department to explore, if not appropriate agencies of the U.N.

Mr. **von Raab**. I believe there is plenty of room for improved cooperation in enforcing these laws in the international arena.

Chairman **Roth**. I want to thank both of you gentlemen for your work and your interest in this. What concerns me so much about this is that even though you have made progress now, if you don't remain vigilant, it can change very rapidly. We want to compliment both of you and your agency for the fine work it is doing in this area.

Mr. **von Raab**. Thank you very much, Senator.

Chairman **Roth**. Thank you, gentlemen.

Our next witness will be John Kelly, if he will come forward, please. Please remain standing, Mr. Kelly and raise your right hand.

Do you swear the testimony you will give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. **Kelly**. Yes, I do.

Chairman **Roth**. Please be seated. We are very pleased to have you here today. Mr. Kelly is the Deputy Assistant Secretary of State for European Affairs, Department of State. Mr. Kelly, please proceed with your testimony.

TESTIMONY OF JOHN KELLY, DEPUTY ASSISTANT SECRETARY OF STATE FOR EUROPEAN AFFAIRS, DEPARTMENT OF STATE

Mr. **Kelly**. Thank you, Mr. Chairman. I am happy to be here today both in an official capacity and as a parent and as a concerned citizen. I would like, with your consent, Mr. Chairman, to read a brief opening statement, and I would be happy to respond to your questions.

The Department of State welcomes the opportunity to testify before this subcommittee on the issue of child pornography and international efforts to impede the flow of such materials into the country. All civilized countries must condemn this despicable commerce. Because of the seriousness of the problem represented by the importation into the United States of child pornography, the Department of State believes an enhanced international effort is necessary to deal with it. We also support the idea of closer coordination between the several U.S. Government agencies concerned with this problem.

In an effort to develop information on the extent of the problem and the sources of export to the United States, State Department officers have been in contact with U.S. Customs Service, the Postal Service, the Justice Department, and the FBI. We ascertained that the Netherlands and Denmark are considered to be the two key exporters of child pornography to the United States. We also learned that such material is produced in other countries, including the United States in significant quantity, and transported to the Netherlands and Denmark for export or, in some cases, reexport to the United States.

We understand that child pornography is also produced in the Netherlands and Denmark. I should note that because of the involvement of the Netherlands and Denmark on this issue, I am offering this morning a State Department perspective based on my responsibilities in the Bureau of European Affairs. However, we believe child pornography is a worldwide problem in its broader aspect and should be addressed as such, in other words, not just confining the attention to Europe. The Department of State is considering now how best to coordinate on this issue among the various concerned geographic and functional bureaus.

To their credit, both Netherlands and Denmark have recently tightened their domestic legislation regarding the production and distribution of child pornography. Expressions of concern from the U.S. public from the executive branch and congressional concerns have been instrumental in sensitizing these governments to U.S. views on this matter and to the need to control exports of child pornography to the United States.

We have recently made diplomatic demarches to both the Government of the Netherlands and the Government of Denmark in an effort to encourage them to do more to control export of child pornography to the United States. These were very similar, I might add, to the kind of suggestions that you, Mr. Chairman, and Senator Specter made on your visits in these countries.

Both governments have been approached at a senior level by officials in our respective Embassies in The Hague and Copenhagen. In our demarches, we noted the rising level of U.S. public and congressional concern over export of child pornography to the United States. We indicated that, in spite of each government's recent laudable efforts to tighten domestic legislation against child pornography, there is still a large amount of such material exported from the Netherlands and Denmark to the United States.

We indicated that the United States would be prepared to pass on specific information on the origins of child pornography seized in the United States to Dutch and Danish authorities for possible legal action. We also reminded each nation of its obligation to enforce vigorously article 36(4)(e) of the Universal Postal Convention. This article prohibits the, and I quote, "Insertion in letter-post of obscene or immoral articles." Finally, we asked each nation for its views on what further cooperative steps might be taken to control the export of child pornography to the United States.

The initial reactions of both governments are encouraging. The Dutch Government has told us it would welcome greater cooperation with the United States to control exports of child pornography to our shores. One official in the Dutch Ministry of Justice has been designated as a point of contact with our Embassy in The Hague. The Dutch has asked us for information which could aid them in prosecuting exporters of child pornography. The Dutch have assured us they would act expeditiously on any further suggestions from the U.S. side on how to impede child pornography exports from the Netherlands to the United States.

The Danish Government has also indicated it would welcome the opportunity for further cooperation with the United States to control exports of child pornography. In reponse to increased U.S. concern, the Danish Justice Minister issued a strong statement in September emphasizing the repugnance with which the Government of Denmark views any sexual abuse of children, and reiterating the legal penalties which may be imposed against those convicted of offenses related to child pornography. The Danish Ambassador to the United States has also corresponded directly to your subcommittee, Mr. Chairman, emphasizing Denmark's grave concern on this matter, particularly since child pornography is illegal under Danish law. The Danish authorities have initiated an extensive investigation into child pornography, and the Minster of Justice has indicated that he is giving the matter his priority attention.[1]

According to the Danes, their investigation has produced preliminary indications that child pornographic materials in the possession of Danish citizens have been produced abroad rather than in Denmark. Denmark provides by law for prison sentences of up to 10 years for those convicted of making pornographic pictures of children involved in sexual intercourse or cooperating in such an offense. Commerical sale or other kinds of distribution of child pornography is a criminal offense in Denmark punishable by a fine and confiscation of the materials. Consideration is being given to subjecting the persons selling or distributing child pornography to imprisonment.

Mr. Chairman, we plan on continued contact and cooperation with both the Netherlands and Danish Governments on this matter. We believe such cooperation could be facilitated if there were a more formal mechanism for U.S. Government interagency cooperation on this matter. On the basis of our informal contacts with concerned agencies, we have the impression until now each agency has acted rather independently to combat or to interdict child pornography. This is not to criticize the agencies, but I have the impression newly approaching this issue, each entity is acting on its own, and we can do a better job of working together. We believe that our overall efforts, especially with foreign governments, could be facilitated by formation of an interagency committee on this issue, to include representatives from the Department of Justice, the Federal Bureau of Investigation, the Customs Service, the Postal Service, and the Department of State. Such a committee could be a useful tool for sharing information on child pornography issues and for developing information which foreign governments might use to prosecute exporters of child pornography to the United States.

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[1] The material referred to and other related correspondence may be found in the appendix on p. 65.

In addition, we recommend an early visit to both the Netherlands and to Denmark by an interagency team of U.S. investigative and law enforcement officials. This team should be prepared to brief the Dutch and Danish officials on our efforts to combat child pornography and on our information that much of such material is exported to the United States from the Netherlands and Denmark. This team should be prepared to provide as much specific detail as possible on the Dutch or Danish origin of child pornography seized at U.S. ports of entry.

In sum, Mr. Chairman, we are encouraged by the initial responses from authorities in the Netherlands and Denmark, and we believe there is a possibility of useful international cooperation to impede the flow of child pornography into the United States. I can assure you, Mr. Chairman, we are going to continue to work with the other agencies of this Government and other foreign governments to this end.

Chairman ROTH. Mr. Kelly, thank you for your statement. I read with interest your proposal that there be an interagency team. Is this not something that could be created by the executive branch of Government?

Mr. KELLY. That's right. What we need to do, Mr. Chairman, is to get such a group launched, and I am not talking about in the long term, I am talking about in a matter of weeks. We assume and expect and from our preliminary contact have every reason to believe that the law enforcement agencies are totally willing and eager to cooperate with us, the idea being to go to these countries to provide them with the evidence, as much evidence as we may, to demonstrate that there is a genuine problem and it is something they can be involved in the prosecution of. I am sure that you and Senator Specter have a particular insight in this because of your own conversations with officials in those countries.

Chairman ROTH. I am going to write the President as well as the Secretary of State urging that this action be taken now, because, again, the thing that bothers me the most is that we are talking about children and every day we waste can have an adverse effect on a child's life. I know how things work on the Hill and how things work in the executive branch. We don't want to take weeks and months getting this off the ground. So I would hope that you would go back and tell the Secretary of State—and I am sure Arlen Specter will agree with me on this—that we think this kind of interagency committee ought to be set up now. We ought to move ahead because it is important that those countries understand the seriousness with which we are addressing this problem.

Part of my concern is, that though we are primarily concerned with Europe, this is a worldwide problem, as you point out in your testimony.

There are other countries, for example, in Asia, where there is a similar kind of problem. We are not pointing a finger because we have enough right here at home. I think we ought to see what we can do to get their cooperation. I am concerned that if we don't act to stamp out the production, we are always going to have the problem. I gather, at least to date, production has not been stamped out. I was not one of those who were able to go to The Hague with Senator Specter. We have heard that they still found such pamphlets in the stores there. That has to be produced somewhere, and as I said, some of this production uses pictures and tapes of American children. I don't care where the child is, I am concerned. Let no one think it just involves foreign children, because it involves Americans as well.

I understand that in November of 1984, the Dutch Parliament—the Lower House—voted to legalize the production and sale of adult pornography while still banning child pornography. Do you think this is a step in the right direction or a step in the wrong direction?

Mr. KELLY. In the sense that it attacks the particularly heinous crime of child pornography, it is a step in the right direction. As I understand, the legislation which has passed one house but not the other house in the Netherlands, would for the first time impose a prison sentence for the people involved in the production or distribution of child pornography. Mr. Chairman, in the sense that it is directed at this most heinous of crimes of abuse of children, of minors, it's a step in the right direction.

Senator SPECTER. Mr. Chairman, you might be interested in the background of it. At the present time, all pornographic sales are illegal in the Netherlands, but there is no enforcement. So if their changing the law is to liberalize it to permit obscene materials to be sold involving adults, but to keep the prohibition as to child pornography with a stated intent to enforce it, but the reality is that stated intent is not very emphatic. When you talk about a jail sentence, focus on the fact that it is a 3-month sentence which even by our standards doesn't amount to much, and our standards don't amount to much in themselves when it comes to jail sentences.

Chairman ROTH. Do you know if any of our Ambassadors have taken this matter up with the foreign governments, particularly in Sweden, Denmark, and the Netherlands?

Mr. KELLY. Yes, Mr. Chairman, our Ambassador in the Netherlands himself has gone to the Justice Minister of the country. In other countries they have been lesser ranking officials. In Denmark, our consul general. But I tell you in candor, Senator, this is not a problem the Department of State has ever paid much attention to. It is not a problem that I ever encountered in my more than 20 years in the business. I think your subcommittee has played a catalytic roll in awakening us to the fact that this traffic goes on and that there is and ought to be and can be something done about it. So in the sense that we are now attuned and aware, I can give you my personal pledge and I know that my colleagues share it, we are going to do something about this.

Chairman ROTH. I'm encouraged by that information, and I want to applaud the State Department and ask you to expedite this action because I think no time can be wasted. I would further appreciate it if you would keep us advised as to developments. I think that is all the questions I have at the moment. Senator Specter.

Senator SPECTER. I don't have a question, Mr. Chairman, but I would underscore the notion of urgency. I was surprised to read in the letter from the Department of State that no diplomatic action has ever been taken, and you say now, Mr. Kelly, that it is only this press which has focused your attention on the matter, and it is very surprising that nothing had ever been done about this problem in the past considering the laws of the United States prohibiting such materials and the substantial importation. So I am glad to see that finally you are on the move.

Mr. **Kelly**. As I say, we owe a large amount of gratitude to this subcommittee for waking us up.

Senator **Specter**. Thank you, Mr. Chairman. This is all I have.

Chairman **Roth**. As I mentioned, it is a broader problem, so I think it is critically important that the State Department take a look worldwide, not only at the production but at some kind of exchange of information among the countries affected so that we have a ready supply of intelligence. I think it would be very helpful to our Customs Officials, obviously, if they knew who in our country was getting this kind of material.

I would also point out, that it is my understanding that there are tours one can take which are advertised in some of those magazines. The ads state where in a country one can go to find such children, et cetera. What they call a "packaged child sex tour"—unbelievable, outrageous. These are, I think, covered in some of these magazines. We ought to get the cooperation of the various governments, including the United Nations, to stop this outrageous kind of practice. So I would ask you move on the exchange of information, and let's find out where this is occurring so we can do something about it.

Mr. **Kelly**. Mr. Chairman, we will do that, and we will undertake to keep you and the subcommittee regularly informed on what we are doing in the field. I had no idea until you just said it that there are packaged tours of this despicable nature.

Chairman **Roth**. That is what Special Agent O'Malley told me yesterday. That is all the questions I have. We look forward to working with you, and we urge you to expedite action as fast as possible. Thank you, Mr. Kelly.

Mr. **Kelly**. Thank you, Mr. Chairman.

Chairman **Roth**. At this time, I am very pleased to call forward Professor Kenneth Herrmann of the State University of New York. Professor Herrmann is an American member of the Geneva-based Defense for Children International which seeks to protect the rights of children throughout the world and, as I understand it, has done great work in the area of investigating child prostitution and child pornography.

We also are very pleased to introduce at this time Toby Tyler of the San Bernardino, CA, County Sheriff's Department. Mr. Tyler has testified as an expert witness on child pornography at numerous trials and has traveled to Denmark and the Netherlands several times to research this field first hand. I would be happy if you would introduce your colleague.

Mr. **Herrmann**. We also have Michael Jupp of the Defense for Children International—USA. He was supposed to have been in Europe today.

Chairman **Roth**. I would ask all three of you gentlemen to please rise and raise your right hand.

Do you swear the testimony you will give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. TYLER. I do.

Mr. HERRMANN. I do.

Mr. JUPP. I do.

Chairman ROTH. I appreciate you being here today, gentlemen. I would ask you, Mr. Herrmann, if you would begin with your testimony. The report prepared by you and Mr. Jupp will be placed in the record.[1]

TESTIMONY OF KENNETH J. HERRMANN, JR., PROFESSOR, DEPARTMENT OF SOCIAL WORK, SUNY COLLEGE OF BROCKPORT, DEFENSE FOR CHILDREN INTERNATIONAL—USA, ACCOMPANIED BY MICHAEL J. JUPP AND TOBY TYLER, SAN BERNARDINO COUNTY, CA SHERIFF'S DEPARTMENT

Mr. HERRMANN. Senator Roth, Senator Specter, Defense for Children International—USA wishes to express its gratitude to members of this subcommittee for the opportunity to express its findings and its views on this important subject today. DCI–USA is the American chapter of the Geneva-based, international advocacy movement called Defense for Children International. It was formed in 1979 after the International Congress on Child Abuse and Neglect in London, England. This is a membership organization with members in over 40 countries and affiliated organizations in 40 more. We engage in direct intervention, investigation, education, and indirect assistance, all focused on the actual implementation of the U.N. Declaration of the Rights of the Child. It is nonpartisan and nonsectarian. We have received government, church, and foundation support from Norway, Canada, Great Britain, Denmark, Switzerland, the Netherlands, Sweden, Finland, New Zealand, West Germany, the Council of Europe, and the United Nations. We also serve as a consultant group for several committees at the United Nations.

It would seem appropriate to begin by telling you about Jesus. Jesus is age 9. DCI–USA became aware of this angelic-looking Hispanic boy in August. He arrived at a day camp on the lower east side of Manhattan. He arrived in tears and walking as though in pain. A youth worker took the time to talk with him. The story of Jesus is one of horror. His horror is shared by millions of older and younger children. He is a native of Acapulco, Mexico. The father of his large and very poor family was approached 3 weeks before by a visiting Anglo who offered to take the boy to New York, provide him with an education, teach him English and eventually find him a job. Some money changed hands, and we don't know yet how much, and Jesus came to the lower east side of New York City. The effect of the community was traumatic for this 9-year-old. The repeated sodomizing by the Anglo was even worse. Because calls to the hot line for child abuse in that State and to the New York City Bureau of Child Welfare resulted in no response at all, the day camp called DCI-USA for advice. As a result, the child was taken to a precinct station and the Anglo was arrested.

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[1] See p. 75 for the report submitted by Mr. Herrmann and Mr. Jupp.

Inquiries of local people revealed the Anglo had brought a boy of similar age from Mexico the previous summer and a boy from the Dominican Republic the summer before. Those two children have never been located.

We also do not know if photographs had been taken of the children being sexually victimized for sale on the child pornography market. The case is still being investigated by DCI.

The four aspects of the sexual exploitation of children are exemplified in the story of Jesus—child trafficking, child pornography, child prostitution and pedophiles. These have been a major concern of DCI since its inception in 1979, and this report to the Senate details our findings as of this date and our recommendation for action.

We were commissioned by UNICEF to prepare a major publication on this issue in 1982, and we have taken the lead with other organizations in two major international studies. The results are extremely disturbing. DCI found astounding exploitation in a 1982 study. The investigation found evidence that child sex package tours were being offered in the Netherlands, West Germany, Japan, and the United States. These tours took people to Sri Lanka, Thailand, and the Philippines; offered tour guides to help negotiate the prices of child prostitutes, advice on the advantageous hotels to use, how to circumvent local laws, how to deal effectively with local officials, and a whole host of other benefits. The leading magazine in this field is called Spartacus.

ERO Tours in West Germany is merely one example of an organization engaging in such activities. There are other magazines and other child sex tourist agencies. DCI is completing a second study that will be released early in 1985. Radda Barnen, the Save the Children in Sweden, and the Anti-Slavery Society of Great Britain are working with DCI on this study.

It is clear from the early results, however, the lack of public pressure to enforce even the existing laws to combat child pornography has resulted in this industry prospering. Denmark is certainly an example of one nation in which child pornography results in few arrests and prosecutions. This isn't an issue of police corruption, but rather an issue of having a low priority, actually a problem shared by most children's issues both in our country and abroad.

DCI is quite disturbed by reports received from U.S. tourists and professionals who have recently returned from the Philippines. It appears the number of children engaged in prostitution in that country is unusually high near U.S. military installations. It also was reported to DCI in October that there is a disproportionately high number of U.S. military officials on child pornography distribution lists.

The ILO reports that there are 200,000 young male masseurs in Bangkok, Thailand, alone. Mr. Tim Bond, a British social worker, tells us of at least 2,000 male children engaged in prostitution in Colombo, Sri Lanka.

A shocking report was received by DCI at its general membership meeting in Montreal in September of an actual child auction in Amsterdam. It allegedly saw the buying and selling of children by photograph for the purposes of pornography production and child trafficking. We are still investigating such reports and we believe that such activity may take place in a variety of nations.

You see, the children who enter this market are frequently street children. This is a population of about 170 million children, or 3.8 percent of the world's population. The vast majority of these hopeless children live without care and supervision and are readily available for the exploitation we are concerned about today.

As an example, it was reported at an international conference last year in New York City, "There is also the growing awareness that many young girls, while not actually living on the streets, suffer similar deprivation as indentured house servants, child prostitutes or the reluctant mistresses of rich men."

This is, indeed, a major problem in Central and Latin America, Africa, and East Asia. Although in smaller numbers, the problem is escalating in London, New York, and other developed nations. Many of the other children who enter this market are actually sold by economically deprived parents who have to make the awful choice between selling their own children or starving. Some come from the international adoption system; others are children stolen from families in the United States, Europe, and other nations. It could well happen that a child missing from Washington today could be seen in pornographic pictures next year in Germany. This approach to supplying children affects all socio-economic groups. The victims could very well be the sons or daughters of U.S. Senators as well as the children of the poor.

Efforts have been made to fight this problem of the sexual exploitation of children around the world. None of these have been entirely successful. Some have made progress. It was reported to DCI in 1983, that the Australian Pedophile Support Group, an international sex syndicate in Melbourne, had been deeply involved with boys in the Philippines through the taking of obscene photographs, sexual abuse, and the establishing of perverse relationships. Some of these victimized children have been taken into Australia for illicit purposes under the banner of foreign foster parent support groups. The reaction of the Philippine authorities was to promise to take action to protect such children. However, in the past, little has been done when information was brought to their attention and we suspect this lack of action may actually be due to the massive amount of money available to such abusive organizations.

DCI became aware in January of this year of the death of prostitutes in a fire in Phuket, Thailand. Subsequent investigations confirmed our suspicions that children were part of this sex-selling market. A parliamentary commission announced that 13-year-old girls were paid $2 a week, were drugged, were beaten, and were tied to their beds in the brothels and both tourists and local police were clients. The investigation continues.

We are pleased to second the information that has been given today regarding the new antichild pornography legislation in the country of the Netherlands. Prof. Jaap Doek, a member of DCI and prominent Family Court judge in the Netherlands, informed us on November 6 that a bill was submitted that would make the punishment for violations 10,000 guilders, or about $3,000, and perhaps 3 months in jail. He said he anticipated the passage of the bill in the Lower House with amendments to strengthen that legislation.

This bill is a necessary beginning in that nation, and it marks the culmination of DCI's efforts in this area.

We also express our gratitude to the National Broadcasting Co. in New York for its intervention, which undoubtedly accelerated the legislative process in the Netherlands. Efforts following the NBC documentary recently resulted in a short-lived policing effort in Amsterdam. Perhaps this will enable longer term success.

Ingrid Almbadh, Secretary to the Swedish Commission on Sexual Offenses, has informed DCI regarding proposed amendments to Sweden's penal code that will broaden the criminal definitions of sexual misconduct and increase the penalties for the sexual exploitation of minors and production of child pornography. There are, of course, several international treaties addressing this issue and they are summarized in our written testimony. Although these pieces of legislation are or, are in the process of being enacted outside the United States, they are of critical importance to American children. There is no distinction in this world of the sexual exploitation of children between a domestic and an international market.

The conventional wisdom of many investigators has been to distinguish between the glossy commercial child pornography, much of which has been produced in Europe, and the low quality or home-produced pornography of the United States. Yet we have seen copies of photographs of known American children that have been circulated through informal domestic markets which actually appear years later in the European market and are recirculated in the United States.

DCI–USA respectfully submits five recommendations in this area: First, whatever action is taken must contain a strong and uncompromising sense of moral outrage. This moral outrage must form the foundation for all intervention, and must take into account the inextricable linking of all forms of sexual exploitation of children.

Second, the issue must be seen as not merely the exploitation of children by adults, but also exploitation of the lesser developed nations by the more developed nations.

Third, efforts to educate the public must be supported. Inadequate public recognition of the scope and complexity of the subject has resulted in little funding for investigation. A representative from the State Department this morning was an excellent example of that. Money must be made available and must be invested in both public education and investigation by public and private organizations equipped to provide such services.

Fourth, there is a need to review, consolidate, and enforce existing treaty laws and conventions. Strong enforcement has been lacking, and we wish to submit this as the key to breaking the high levels of illegal activity which continue to exist today.

And finally, fifth, we urge the creation of a clearinghouse to identify the producers and distributors of child pornography and those engaging in the international trafficking of children for sexual exploitation, wherever they may be. This would prompt local police action to seize equipment and supplies and confiscate material. It might also identify the children involved and assist in returning them to their families. As it took the combined effort of the Anti-Slavery Society and the British Navy to stop the slave trade, the same combination of public and private action must serve to stop this devastating trade in children.

The U.S. administration is urged to earmark a part of its annual donation to UNICEF to be used for the creation and operation of such a clearinghouse.

DCI will assist in this effort if it receives the necessary funding, but we stand ready to help in developing the organization of a working party to lay the foundation for such a resource.

Finally, based on our continuing investigations, we submit that the East Asia trade will increase; the European trade will either go underground or will attempt to return to our country; the problem of such exploitation will increase in its various forms dramatically during the coming year; and the increase in home production will further support the international business of child trafficking for sexually illicit purposes.

Despite our Nation's past efforts and regardless of the themes this morning, the United States is still the biggest importer and producer of films and videos portraying young children in sexually explicit acts and forms of sado-masochism. Our citizens are also among the most frequent purchasers of sex-tourism which exploits young children around the world.

In 1978, the Norwegian Ambassador to the U.N. said, "Children have no special human rights body to address their grievances." Well, DCI is attempting to remedy this problem through its work, but we need the involvement of all governments in the promotion of children's rights. Private organizations can't produce the funds, legislation, personnel necessary to protect children in our country and all other countries from the horrors we have detailed for you today.

Thank you for your attention to this matter. We promise our continued and active commitment to children's rights advocacy both in the United states and throughout the world. Again, our sincere appreciation for your concern for children.

Chairman ROTH. I think you heard my conversation with the representative from the State Department. It would be very helpful if you can supply some of this basic information that you have, for example, the so-called child sex tours, to them. You can either do that directly or in the alternative, through us. Any information you think would be helpful, would be appreciated.

Mr. HERRMANN. We will supply as much updated information as we can. I was amazed to hear the lack of information they have on this problem. A whole series of international conventions and treaties as far back as 1910.

Chairman ROTH [interposing]. I have to say I share that concern both with our own Government and with the United Nations as well. It seems to me that some of their funds could have been well spent in pursuing these problems. What I am interested in now, we can't change history, is what we can get done now.

Mr. HERRMANN. Yes.

Chairman ROTH. What I am asking, is that you forward these two studies to the State Department. Make sure that information is available to them. We would like to have it available to our subcommittee as well.

I notice in your testimony you say: "Pedophiles appear to have large, well-organized and indepth supply lines." It is my understanding that there is a network within this country though it appears to be an underground network. You are saying there is not organized crime or some major organization, pushing child pornography but rather, the network is built on an underground, on a person-to-person, area-to-area basis; is that correct?

Mr. HERRMANN. I would like to ask Mike Jupp to address that. We are not saying there is one centralized, large corporation that produces all of this, yet regardless of whether it has the present structure of a series of organizations or whether it would be in one monolithic organization, the effect is the same. I think Mike will elaborate on that.

Mr. JUPP. I think we agree with you on that. The trafficking, the domestic traffic in pornography in the United States is informal, but it is, I think, organized. They have organized themselves into an informal distribution network, of how many thousands I don't know, but it seems to be working here.

I think the other point on that, though, is in terms of "organized." There were two academics from Appalachian State University, who testified in front of Mr. Specter's committee earlier this year, Poffenberberger and Compagna, who do talk about the link between child prostitution and pornography within the United States.

Most street children who have been involved in prostitution have also been involved in pornography, and they found in their study that there does exist a series of bordellos or brothels in some States in the Midwest and toward the East where kids are taken from one brothel to another to another. Some interviews that they had taped with convicted child pimps, who had also been involved in pornography, spoke of this existing chain of brothels in a way that prostitution and pornography were very closely linked together within this country.

Chairman ROTH. So in that sense, you feel there really is a definite link?

Mr. JUPP. There are organizations. I am not sure at what stage organization becomes organized crime. That's one I don't know.

Chairman ROTH. That is a good question. These organizations that are advocating doing away with the age of consent, are they involved in this in any way?

Mr. JUPP. I think this depends on what part you are looking at. Many of the organizations, for example, Paedo Alert News, which is part of a man called John Stamford's organization out of Amsterdam, I believe it is involved, and "PIE" and "NAMBLA" and several others. One group's slogan is "Sex Before Eight or It's Too Late," they are all advocating the reduction in the age of consent, I believe, for their own interest; that is the sexual exploitation of a child by an adult.

On the other hand, we do have some people who say, "What is wrong with a 13-year-old boy and a 13-year-old girl sleeping together?" I think that is a different issue. Whether I agree with that or not, is a different matter. I think one needs to distinguish between the two groups.

Chairman ROTH. You mentioned, Mr. Herrmann, in your testimony, about a large number of child prostitutes congregating around U.S. military bases.

Mr. HERRMANN. Yes, sir.

Chairman ROTH. What are local police doing about that problem? Do you have any information on that?

Mr. HERRMANN. They have been informed of that problem and are doing nothing. The same as the police in that particular nation did nothing about the Australian pedophiles support group that was reported to them. It is basically overlooked. However, I think we use the Philippines as merely an example of the existence of this. When I served in the Army in Vietnam, it was no different in that country. I am sure many of you are aware of individuals in the Armed Forces who have lived or live in military bases who could tell you that particular problem exists there.

In the Philippines, however, it appears as though the network of child prostitution is not just linked to the military. Our military, in terms of our military being people to support it financially, but also to the international market in terms of child sex tours. So as Mr. Jupp mentioned, these children move frequently between one place and another, depending upon the need of "the company" that is taking care of them.

Chairman ROTH. Have you supplied this information to the U.N.? What are they doing about it?

Mr. JUPP. Our organization holds consultative status with ECOSDC, which is the Economic and Social Council and also with UNICEF. UNICEF, for many years, has been almost solely concerned with primary health care and relief work and some development work in developing nations. Their Board of Directors, I believe at their last board meeting, which was in Rome earlier this year, have given the mandate to the UNICEF staff to take a larger interest in general children's issues every where. Our organization has been commissioned by UNICEF to produce six papers for their 1986 board meeting, not the 1985 but their 1986 board meeting, when these issues will be addressed. We would welcome pressure that would make UNICEF address them earlier.

Chairman ROTH. It seems to me all we are talking about is studying, when what we need is action.

Mr. JUPP. Yes, sir.

Chairman ROTH. Let me ask one final question and then I will turn it over to my colleague. You talked about an auction.

Mr. HERRMANN. Yes, sir.

Chairman ROTH. What action was taken to address that?

Mr. HERRMANN. We don't know. That is still at a stage of investigation by DCI. The individual who reported that to us also discussed that with several members of DCI-Netherlands, our national group in the Netherlands, and they have been attempting to cooperate with the local authorities.

Chairman ROTH. Do you think this was an isolated event?

Mr. HERRMANN. Our understanding and her impression was that this was not an isolated event; it was a routine event in terms of the ability for people who are leaders in this area to be able to buy and sell the children and the products of the pornographic pictures that have been taken to other people who are distributors and producers.

Chairman ROTH. I notice in your testimony you said Norway has contributed, I think, funds to your organization. The three countries that are most often mentioned as being sources of child pornography are Sweden, the Netherlands, and Denmark. Is there a different situation in Norway and, if so, why is it different?

Mr. HERRMANN. Denmark and the Netherlands have also given money to DCI. I am not aware of the situation in Norway.

Chairman ROTH. The question I was really trying to get at is, no one has accused Norway of being involved in this trafficking, is that correct?

Mr. JUPP. Not that I'm aware of, sir.

Chairman ROTH. Do you have any idea why there is this difference?

Mr. JUPP. It is a very, very different country than Sweden. The terrain is such—communication between towns is not always easy. I don't know the answer, sir.

Chairman ROTH. Senator Specter.

Senator SPECTER. I commend you gentlemen for your activities here and what you have said is best capsulated that authorities have had information since 1910 and haven't done anything about it. There is not much of a disposition as of this moment from the authorities in the Netherlands to do much about this, and these photographs are apparent to anybody who walks into a sex shop off the street. It is obvious the children are subjects of these photographs, are being misused, and we know from our experience that when photographs are taken in these explicit sexual conditions, they frequently are followed by assaults from the photographers, and it is just the beginning of very pernicious system so that if we are to expect anything to be done, it is going to take a tremendous amount of pressure and exposure of this kind of problem. We are only starting in the United States on dealing with the problems of molestation of children. To get any action from the Netherlands or other foreign governments on the problems you have described would take a massive effort. I commend you gentlemen for what you are doing. I think we are just beginning, Mr. Chairman.

Mr. HERRMANN. Senator, it is important for us to be able to communicate the need for enforcement, not just as was mentioned with previous witnesses this morning in the Netherlands and in Denmark, but in our Nation. There is, indeed, law that could have saved Jesus and the children who preceded him in the lower east side of Manhattan if the law was being enforced by Immigration and Customs. In terms of materials that Michael bought 2 days ago on 42d Street in New York City, it hasn't been suppressed in this country at all. In terms of children, there are children, not just in obscene magazines, and these kids are moving past our Mexican and Canadian borders.

Senator SPECTER. May I see the book you refer to as being purchased?

Mr. JUPP. The thing about that book, sir, is that I doubt that it would fall into a definition of obscene or pornographic. There are virtually no photographs in there at all. What it is is an index of bars in almost every country throughout the world, and it will tell you there where you can find; "the young crowd" is what they refer to. The bars will say "YC" after them if the "young crowd" is available there.

Also, they were offering for specific countries, special factsheets on how to have a "good" holiday in that country. Is it pornographic? There are no pictures.

Senator **Specter**. It is not pornographic in my legal opinion.

Mr. **Herrmann**. That is something more sinister, Senator, than all of these dirty pictures that we have here. That is actually a guide on how you can go in and have sex with a 3-year-old kid.

Senator **Specter**. You may think it is sinister, but in a free society, that kind of material is available and is not banned. You are talking about what people are going to be permitted to do or to have information to do. It is not obscene. We had the book "How to Have Sex with Kids," which was purchased in the city of Philadelphia. I studied it closely, and I believe it is obscene, but it is a close question, and that is a book which describes how to meet children, how to entice them, how to develop a relationship with them, and how to have sex with them. Given a free society on expression, that is a close question as to whether it is obscene.

As a result of our action, the publisher is now under indictment in an Austin, TX, court. But the question is by no means conclusive, and I would suggest to you that we have a lot of areas where we can usefully act and take law enforcement action within the purview of the existing laws. I think that law enforcement has done a reasonably good job in the United States on pornographic materials related to children. I would be interested to know if they are available—I have recently been in pornographic stores in the United States in big cities to look for the materials, and there is plenty of salacious material, but not involving juveniles. So I think we have made some progress; but I quite agree with you that we have a long way to go. You can have the book back; I don't need it.

Chairman **Roth**. The thing that is most bothersome is these places that are advertised remain open. That is something local enforcement officials can do something about. To me it is shocking that you can advertise publicly. I am saying those places remain open and available. How we are going to protect those children is a key question.

We have been taking a great deal of time. I want to hear from Toby Tyler who brings another perspective. We are delighted to have him because, as I said earlier, he is a member of the California County Sheriff's Department. He has testified as an expert on child pornography in addition to traveling to Denmark and the Netherlands on several occasions to do firsthand research. Mr. Tyler.

Mr. **Tyler**. Mr. Chairman, thank you very much. The prepared statement which is in the record, I do not wish to read. I want to address other questions that have come up prior to my sitting down, but I would like to make for the record two corrections to that paper. On page 9, the fifth line from the bottom, the period should be removed. And on page 11, the word "worlds", w-o-r-l-d-s, that should be a possessive word.

Chairman ROTH. Your prepared statement will be corrected and entered in the record in its entirety.[1]

Mr. TYLER. Thank you. My experience with child pornography in Europe, and that is what I will be focusing on, is the result of travels there in 1982 and 1984 and also information I have gathered through investigations over the years and also intelligence that I have gathered, much from one of your future witnesses, investigator Bill Dworin from LAPD.

One of the magazines that features heterosexual pedophilia is known as "Lolita." "Lolita" is produced by a Joop Wilhelmus, out of Dordrecht, Holland, which is a suburb of Rotterdam. When Issue 46 was published, they had inside, a big headline, "This is the end," and he proclaimed in his magazine that he was quitting publishing the magazine. He was going to give up on his efforts to get the world to change and OK and endorse sex with children. The reason he was doing this is because his readers would not share their private collections with him so that he could publish them in his magazines. He originally was publishing one magazine per month and each of them had a sequential number. At 46 he says he quits. Then we end up with 47 coming out.

Forty-seven says, "We're the new editors, and we appreciate the efforts of Joop Wilhelmus for keeping going as long as he did. We don't think it should die, so we are going to continue with the efforts."

In 1982, when I was in Holland talking to the operators of the sex shops, it was common knowledge that he, indeed, was still publishing "Lolita." He wanted to disassociate himself from it publicly because he had a problem traveling about Europe. He was not well liked in other countries, and he found himself getting arrested very often in the other countries in Europe, and it was based on the fact he was being harassed because of what he was doing. It was common knowledge with all of these sex shop operators that he, indeed, was still publishing the magazine.

However, for some time he has not been able to publish a magazine a month because Denmark and Sweden, as of 1980, and this country in 1977, outlawed child pornography as far as the retail sale. He has not been able to get the amount of material he used to get. In each of his magazines, you will see pleas over and over again, "Send me your private collections"; "Send me pictures from your private collections." "I need material to keep publishing the magazines." Because the circulation was cut down, because we made it illegal in this country, Denmark and Sweden made it illegal at the retail level, he does not have the number of people buying his magazine to see his pleas for pictures. Since 1982, he has only published two issues, No's. 54 and 55.

What has happened in this country and Denmark and Sweden has already had an impact on the amount of material being produced based on the fact he has only been able to produce two since 1982. The way he gets his pictures, he can buy them or trade for them. I have communications here, one is from a defunct publisher in Denmark and this was written to a child molester who was wanting to trade some of his pictures. "To answer your question concerning the articles * * * it is normally one magazine in exchange for each photo that is good enough to find its place in our magazines dedicated to pedophilia." That is where he gets the pictures, individuals who are taking pictures of the children and it comes from all over the world, including this country.

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[1] See p. 92 for the prepared statement of R.P. "Toby" Tyler and Lore E. Stone.

Another one from, again Dordrecht, Holland, and actually their business office is in Liechtsenstein, business address, "we can always work out a good deal and trade your work against our products. At the moment, we have 10 titles, all full of action with no girls older than 10 years."

Chairman ROTH. Can we have that for the record?

Mr. TYLER. I will provide a copy.

[The material referred to was marked "Exhibit No. 1," for reference, and follows:]

[EXHIBIT NO. 1]

RODAX TRADING,
Copenhagen. May 30, 1978.

We hereby acknowledge receipt of your kind letter dated May 24, for which we thank you very much.

We would of course be glad to receive the photos that you mentioned.

To answer your question concerning the articles that we send in counterpart, it is normally 1 magazine in exchange for each photo that is good enough to find its place in our two magazines dedicated to paedophilia. It seems that this system would suit you as it often does with contributors who want to enrich their collection.

When I send a magazine, it is done in an extremely discreet way to make sure that everything will be allright.

For a start, I take pleasure in sending you some sections of our two latest catalogues. I can always send you more of them in the future.

We are looking forward to hearing from you at your earliest convenience.

Recommended adress when you send documents: Joel Bouille, Strandlodsvej 61.

Your code-name: Robert. (So when you send the photos, you don't have to mention your adress).

JOEL BOUILLE.

CHICK PRODUCTION ESTABLISHMENT,
Liechtenstein, September 25, 1978.

DEAR SIR: Thanks for your letter dated 1 sept. Of course we are interested in your photo-material although the last age you mentioned is too high for us (too old).

We can always work out a good deal and trade your work against our products. It is also possible too exchange your photos against films. At the moment we've got 10 titles. All ful of action with girls no older than 10 years.

We've got quite a lot of experience in sending material to the USA and normally everything arrives safely.

Now it all depends on the quality of the photos you offer. If you make a point of it we will see that you get the photos back although this is not the usual way we do things. Of course we prefer action in the photographs. Please send us some samples or just send us a bunch of them and we will send you books and/or films just as you like. Send the material too the following address: A. Vorster, Tollenstraat 2, Dordrecht, Holland.

This is a private adress and ensures delivery. We hope to receive something soon.

Sincerely yours,

WILJA.

Mr. TYLER. I want to go through a few of those magazines, not exposing them for exploitive purposes, but just to tell some rather shocking things about them. When I am identifying various children here, it will be by geography primarily and it is information I have gathered from other law enforcement officers, both Federal and local. One thing I heard you talk about is as young as 18-month-old children are exploited. Here is a magazine called "Baby Love." It features children who are infants and toddlers exclusively.

If we open up to the very first picture, I don't believe she is 18-months-old, and elsewhere in here you will see a female molesting this child and this child engaging in aggressive acts, direct sexually aggressive acts as a result as well. "Baby Love, Children and Toddlers Only."

You have up here a number of items, child erotica, and I differentiate child erotica from child pornography. Child pornography is one form of child erotica. It includes all of these items and can include pictures cut out of a Sears catalogue of the little girls or little boys.

If you look at "NAMBLA Bulletin" over here at the bottom, you see Edward Brongersma, "On Children's Sexuality." If you look at PAN, the second item from the bottom of the page, "Boycaught: Should Parents Know?" by Edward Brongersma. I would like to know who Edward Brongersma is? He is an attorney, Dutch citizen, who has been in prison for molesting children. He is also a former member of the senate. He frequently writes for pedophile organizations and publications and he also writes for legal journals and recently had a lengthy article published in an English legal journal on the issues involving sex with children.

He also has published in some of these magazines—"Lolita" publishes academic articles, if you want to call them that—to justify, to rationalize this behavior. You will find stories in some of these magazines.

There is a magazine called "Lisa," 10 years old and her father. It shows Lisa engaging in various acts, including oral copulation to the point of ejaculation with her father. If you look at this pictures, you will see that Lisa is about 7 years old, and most people are shocked when looking at those pictures. Then they come out with a subsequent edition, "Lisa With Her Dog," shows Lisa engaged in various sex acts, including oral sex with her pet dog, with her dog at any rate.

Clifford Linedecker, author of a book called "Children in Chains," mentions the book of "Lolita Love Number 13." In his book he mentioned a Federal magistrate in New York who said this book is not legally obscene because there is only one person in this book. Now that would not affect Federal enforcement of the Federal statutes, but in California and in many other States we are still handicapped with the burden of an obscenity requirement in our child pornography statutes in spite of efforts in the California Legislature, this most recent session, to eliminate the obscenity requirement. Why don't they eliminate the obscenity requirement? I don't think our legislators really know what it means to have an obscenity requirement contained therein.

I show you two magazines. One is called "Sweet Patty." The other is called "Pre-Teen Sexuality, Volume 2." You can see they are basically the same cover picture, and if you look through at the pictures, you will see that they are the same pictures. The difference is this magazine has a text in it and it is a text which tells you how to have sex with pre-pubescent children. This book, and

I'm not suggesting it is now being sold in California—it is not. It has been sold in California. I think this book could be legally sold in California now today and any other State where they have an obscenity requirement, because this book does have scientific value under the *Miller* decision, it, therefore, would not be obscene.

Senator SPECTER. Mr. Chairman, can I interrupt at this point for a question?

Chairman ROTH. Yes.

Senator SPECTER. Why do you believe that book could be sold in California in light of the obvious youthfulness of the young girl being photographed?

Mr. TYLER. Because in California we still have retained in California statute the obscenity requirement on our child pornography statutes. We still cannot prohibit the sale or distribution of child pornography unless it is legally obscene, legally obscene defined by the *U.S. Supreme Court* decision, *Miller* case, *Miller* v. *California.*

Senator SPECTER. You are saying California has not followed the opportunity to have a lesser standard for child pornography as opposed to adult pornography?

Mr. TYLER. I am saying that, I am saying the California legislature this past session had a bill which proposed to eliminate the obscenity requirement. The U.S. Supreme Court and the *New York* v. *Paul Ira Ferber* case says we can prohibit child pornography even if it is not obscene. Indeed, we have an obligation to do that to protect children.

Senator SPECTER. Is that publication transmitted through the mails?

Mr. TYLER. I have no reason to believe it is transmitted through the mails now. This magazine was sold legally, openly, up until 1977 in California.

Senator SPECTER. What is your professional opinion as to age of the young girl modeling there?

Mr. TYLER. She is 8 to 10 years old.

Senator SPECTER. I disagree with you. I think that is prosecutable even under the laws of California.

Mr. TYLER. We have to live with the *Miller* decision, Senator. The *Miller* decision says——

Senator SPECTER [interposing]. I know what it says.

Mr. TYLER. It has how to have sex with pre-pubescent children.

Senator SPECTER. I don't think it saves that from being violation of the criminal law. Where you have a magazine like that, with a child 10 years old in that position and the impact on a child who is being photographed, you cannot cover that by written materials which otherwise would be under the category of scientific materials, having the social redeeming purpose. My legal judgment is that there would be a successful prosecution on that material.

And also where it takes up the question about how to have sexual intercourse with a child under 10, my sense is that is really rather along the line of how to have sex with children, which we talked about earlier, which on the basis of the language alone is a close question. I have said earlier, but I think could be upheld on obscenity charges, but where you have the photographs, I think it is clear cut obscenity.

Mr. **Tyler**. The *Miller* decision does require, I am sure you are aware, you have to consider the item as a whole; you can't pick out the pictures only; you have to consider the item as a whole, and if you find it does have that scientific value, you are going to be hard pressed, especially in the State of California with our court system, to prove that this is legally obscene. I really do not think, especially in California, and I think many other States, it would not fail the *Miller* test.

Chairman **Roth**. Let me just interject one thought. Are you familiar with State laws generally? Has any effort been made, to your knowledge, to develop a uniform law in this area that would maximize the opportunity to prosecute publishers or purveyors of child pornography?

Mr. **Tyler**. I am not aware of any such effort. I want to make one thing clear, this book is not now, to my knowledge, being sold across the counter in California. The book "Show Me," which I believe you may be familiar with, which purportedly is a sex education book, shows pre-pubescent and pubescent children engaging in exploration, oral sex, and intercourse.

Senator **Specter**. The book "Show Me" has oral sex?

Mr. **Tyler**. Yes, it shows a child kissing the penis, pubescent girl kissing the penis of a pubescent boy.

Chairman **Roth**. Why don't we let him complete. Time is coming to an end.

Mr. **Tyler**. This is a magazine call "Lolita," Special No. 5. It features a girl, 12 years old. She was sexually abused by her natural father from the time she was 7 until she was 12.

If you look through here, you find her inserting bottles and other articles into her vaginal orifice. When she became a pubescent girl, she did get courage enough to report her father for molesting her and she was taken into protective custody and was put into a foster home. Her father ultimately was put in prison. The photographs in this book were all taken by her foster father where she was put for safekeeping. She is an Eskimo living in Alaska. These two books which you have seen before you, according to information I received from U.S. Customs several years ago, these pictures were made at the Holiday Inn———

Chairman **Roth** [interposing]. Could I suggest, I think we have got a pretty vivid picture of the outrageous kinds of items that are available. I wonder if you would mind making any comments you care to make on your findings in traveling to the Netherlands.

Mr. **Tyler**. Yes, the purpose of this was not to exploit but to localize it and identify some children in this country.

Enforcement of child pornography statutes in Europe, in Denmark, there is not, that I was able to discover, any retail child pornography available. And I was asking for it with my American accent, very clearly and it was not discoverable. In talking to the police in Copenhagen, I did not get any indication they felt that any was available in the retail market there as well. The mail order market was still working.

Chairman **Roth**. They did not think it was available?

Mr. **Tyler**. In Denmark, that is correct. I have virtually no evidence it is available on the retail market within Denmark itself.

In Holland, it's a different story. Holland has had a law against child pornography, pornography for years. They also had a law against prostitution. If you have ever been to Amsterdam and the red-light district, clearly you know neither of those laws are enforced. In April 1984, members of the community in Amsterdam, primarily youth workers, working with street kids, went to the superintendent of what would be equivalant of a vice squad here and they asked her to please start enforcing the law against child pornography explaining why. They did not want children exploited further, in order to produce the material children have to be exploited and then it is used to seduce other children. She was receptive and responsive to this. She sent out letters to all the sex shops in the city of Amsterdam warning them they were going to take enforcement action. They also publicly announced it and there was a lot of newspaper and press coverage within the city of Amsterdam on that activity coming out.

In early mid-July, Amsterdam police went to all the sex shops in the city of Amsterdam and where they found child pornography for sale, they took into custody the store operator and they also took into custody the evidence, the child pornography. When I was there in late July and early August, the only child pornography I was able to find in the city of Amsterdam was at the police department. It is not the same for the rest of the country. While I was in Amsterdam, I had someone call the police in The Hague on my behalf and see if they might be receptive to meeting with me and perhaps sharing some intelligence and offering me some assistance. He talked with the equivalent of the superintendent of a vice squad in The Hague and they advised this person that my interest was the problem of the child pornography.

Because of the significance publicity that had been attended to Amsterdam's actions, this publicity went all over the country. The Hague police indicated—their response suggested they were made uncomfortable by what Amsterdam had done. When the inquiry was made about the problem of child pornography in The Hague, the response from The Hague police was we do not have a problem with child pornography in The Hague. We have gone to the people who operate the sex shops in our city and they said it is not a problem because 80 percent of the customers are foreigners. That's their definition of it not being a problem. Child pornography was available in early August in The Hague, Rotterdam, and Dordrecht and perhaps other cities but I saw it in those four cities.

I am not aware of the efforts other than what I have heard today as far as the Parliament trying to implement laws. The Amsterdam police were extremely concerned at the time that I was there whether or not the courts would back them up when the courts would reconvene and start hearing these cases.

They really had concerns because the fact the law had not been enforced for so many years, they thought that the laws might not be supported by the courts. We mentioned earlier a task force to do something on this. I want to encourage you to use not only your Federal law enforcement officers but a local law enforcement officer—at least one, and I would like without his permission, to urge you to consider Bill Dworin. Bill Dworin is probably responsible for supressing child pornography by corresponding through underground correspondence with a child molester in France and this man was eventually arrested because of the undercover work that Bill Dworin did. You must understand the European police do not typically do undercover investigations such as we do in this country. It is foreign to their nature and probably would not be well received by the public or by their courts.

[At this point in the hearing, Senator Specter withdrew from the hearing room.]

Mr. **Tyler**. Just briefly I would like to comment on one thing. You will see in all the magazines, they freely plagiarize each other's material. Very often you can see it was plagiarized from another magazine. You may have heard of Catherine Wilson who has been described as the "Queen of kiddie porn" in this country. She would buy her material, bring it to this country and have it reproduced. She was plagiarizing all of her material as well from the European distributors.

Chairman **Roth**. I just really have one final question of you. What kind of exchange of information is there between the various enforcement jurisdictions? When you come across basic information on pornography, is there any exchange within the State of California or other States or with the Federal Government?

Mr. **Tyler**. People who work in this field as a primary field of work, generally do know each other and communicate quite freely, if not in person, at least on the telephone and information quite freely among those of us in the field. I am not aware of any communication problem between State or Federal agencies in this particular field. I have recently been involved with Customs, the district director and her office out of Terminal Island, and I have been privileged to read the correspondence that has been received by her issued by the commissioner who testified earlier, and in reading this correspondence stressing the priority this will have. It is very clearly stated he is stressing not only professional feeling but a very personal feeling, and I am glad to see it.

Chairman **Roth**. I want to thank you and the other gentlemen for being here today. We have heard from some extremely interesting but sad testimony of exploitation of the young. Tomorrow we will learn more about how American law enforcement is targeting child pornographers, and we also will receive testimony about several organizations in America that are actually devoted to advocating, and in many cases, practicing sex with children. The subcommittee is in recess until tomorrow morning.

[Whereupon, at 12:20 p.m., the subcommittee recessed to reconvene at 9 a.m., Friday, November 30, 1984.]

CHILD PORNOGRAPHY AND PEDOPHILIA

FRIDAY, NOVEMBER 30, 1984

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, DC.

The subcommittee met at 9 a.m. pursuant to call, in room SD-342, Dirksen Senate Office Building, under authority of Senate Resolution 354, section 13(a), agreed to March 2, 1984, Hon. William V. Roth Jr. (chairman of the subcommittee), presiding.

Member of the subcommittee present: Senator William V. Roth, Jr., Republican, Delaware.

Members of the professional staff present: S. Cass Weiland, chief counsel; Eleanore J. Hill, chief counsel to the minority; Nicholas L. Chiarkis, deputy chief counsel; Katherine Bidden, chief clerk; Charles Morley, chief investigator; Bruce Selcraig, investigator, majority; Leonard Willis, investigator, minority; Sarah Presgrave, executive assistant to the chief counsel of the majority; and Cindy Comstock, staff assistant to the majority.

[The letter of authority follows:]

U.S. SENATE,
COMMITTEE ON GOVERNMENTAL AFFAIRS,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS,
Washington, DC.

Pursuant to Rule 5 of the Rules of Procedure of the Senate Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, permission is hereby granted for the chairman, or any member of the subcommittee as designated by the chairman, to conduct upon and/or executive session hearings without a quorum of two members for the administration of oaths and taking testimony in connection with hearings on Child Pornography and Pedophilia. These hearings are to be held on November 29, and 30, 1984.

WILLIAM V. ROTH, Jr.,
Chairman.

SAM NUNN,
Ranking Minority Member.

Chairman ROTH. The subcommittee will please be in order. We welcome you, Mr. Nelson, of the U.S. Postal Inspection Service. Would you both please rise and raise your right hands.

Do you swear the testimony you will give before the subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NELSON. I do.

Mr. BAZLEY. I do.

Chairman ROTH. Thank you. Please be seated. Mr. Nelson, please proceed and introduce the individual accompanying you.

TESTIMONY OF CHARLES P. NELSON, ASSISTANT CHIEF POSTAL INSPECTOR, OFFICE OF CRIMINAL INVESTIGATIONS, U.S. POSTAL INSPECTION SERVICE; ACCOMPANIED BY THOMAS BAZLEY, U.S. POSTAL SERVICE INSPECTOR

Mr. NELSON. With me, Mr. Chairman, is inspector Tom Bazley. Inspector Bazley heads up our Fraud and Prohibited Mailings Branch which takes care of the overseas child pornography investigations. We had submitted our statement that is somewhat lengthy. I would like to brief it at this time, with your permission.

Chairman ROTH. Please. It will be included in its entirety as if read.[1]

Mr. NELSON. Since our investigative authority does not extend beyond the domestic postal environment, our role in the investigations of child pornography is somewhat limited. Generally we concentrate our efforts on those individuals or organizations who distribute child pornography through the mails in violations of 18 U.S.C., section 2252. Of course, we pursue distribution of child pornography by other means, such as common carriers and the production of child pornography when evidence of these types of violations surfaces in one of our postal-related investigations.

One of our first priorities in these investigations is to prevent child abuse. Whenever there is evidence that child abuse is taking place or is imminent, we will immediately request appropriate local authorities to become involved. Overall, we have enjoyed excellent working relationships with agencies at all levels of the government in the investigation of these offenses.

Traffickers in child pornography have always maintained a very low profile. However, since the enactment of the Protection of Children Against Sexual Exploitation Act of 1977, they have virtually gone underground. During adult obscenity investigations, we are often able to order materials directly from solicitations or advertisements; but with child pornographers, we must gain access to the distributors' underground networks. We monitor publications oriented toward pedophiles and we maintain close contact with local police and social workers who in their work frequently come upon child abuse and/or child pornography. We also examine evidence, such as mailing lists seized during the execution of search warrants, in the effort to identify persons interested in this type of material.

We investigate the distribution of material of both domestic and foreign origin. Generally the domestic material is what we would call a homemade variety, while the foreign material is normally produced by commercial dealers.

It should be noted, however, that the technical quality of the homemade domestic material is becoming better and better with the increasing availability of sophisticated video equipment.

We are also aware that once an item of child pornography begins to circulate, it is reproduced for further distribution time and time again. As a result, a distributor may be many times removed from the origin of the material. Our experiences with child pornography operations do not suggest large-scale profits, at least here in the

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[1] See p. 107 for the prepared statement of Charles P. Nelson.

United States. Of course, there have been some exceptions to this rule, such as a case I will describe later. In most cases, our investigations have led us to collectors, some of whom sell their material while others do not. Those who do not sell their material often loan or trade collections with others who share their interests. In either case, investigations are pursued to develop sufficient evidence for prosecution.

Our investigations have disclosed two very interesting aspects of the child pornography problem. One, the problem is more widespread than is generally believed. We feel its pervasiveness is evident in a number of investigations we have undertaken and the number of names appearing on mailing lists maintained by child pornographers which we have seized by search warrants. In some instances, hundreds of names have appeared on a single pornographer's mailing list.

No. two, rarely does the child pornographer measure up to the stereotype image of the "dirty old man." Many of those who display an interest hold respected positions in their communities and have been able to conceal their interest in child pornography for years. Professional dealers have been identified in our investigations as well as clergymen, teachers, psychologists, journalists, and businessmen. I would like to briefly describe two of the cases we have investigated.

On December 8, 1982, William Thoma was found guilty in U.S. District Court, Chicago, for violation of Title 18, United States Code, section 2252—The Protection of Children Against Sexual Exploitation Act. He had been indicted by a Federal grand jury on July 9 of that year and was charged with one count of mailing obscene material (18 U.S.C. 1461) and three counts in violation of 18 U.S.C. 2252. He was doing business as "Vid-A-Date Unlimited" and "Video Treasures Unlimited." A search warrant for his residence disclosed a garage converted into a video studio and office with records of models and individuals he had done business with. He had photographed a 17-year-old girl living with him since her early teens. Photos of the girl and her brother, also a minor, appeared in the Danish publication "Nymph Lover." Thoma was sentenced to 4 years in prison followed by 4 years probation and ordered to undergo psychiatric treatment.

The second case concerns Catherine Stubblefield Wilson, also known as "Black Cathy." She was the operator of a major mail order pornography operation and had been the subject of several investigations by the Postal Service since 1977. At that time, she moved from wholesale distribution of adult-type materials into the retail distribution of child pornography materials through the mails under several assumed names. She took special care to avoid identification by law enforcement agencies during her operation. These measures included the use of a foreign mail drop; a foreign bank account; and the mailing of her advertising and films from various cities in the Southwestern United States.

On June 29, 1984, Wilson was tried before the U.S. District Court, Central District of California, where she was found guilty of all counts of a 15-count indictment charging her with violations of Title 18, United States Code, section 1461 (mailing of obscene matter) and section 2251 (The Sexual Exploitation of Children Act).

On July 20th, she was sentenced to serve 10 years in prison and fined $10,000 on each of two counts to run concurrently. The court imposed 3 years probation on each of the remaining 13 counts to run concurrently.

These cases are not exceptional in any way but are rather typical in terms of the types of individuals we have identified as being involved in child pornography. The overseas connection mentioned in these examples are also common characteristics of these investigations.

We feel there is a greater public awareness than ever on the subject of child abuse and child pornography. This awareness should help prevent child abuse which in turn should reduce the availability of child pornography. This increased awareness is an asset to law enforcement because a greater flow of information on child abuse and child pornography is likely to be passed on to authorities who can take appropriate action against the offenders.

Hearings such as this one today are one of the reasons we have greater public awareness of this problem and we commend the subcommittee. It has been our pleasure to report to you the efforts of the Postal Inspection Service to enforce Federal laws prohibiting the mailing of child pornography. I will be very happy at this time to answer any questions you may have.

Chairman ROTH. Thank you, Mr. Nelson. One of my interests and concerns is the level of coordination, exchange of information and liaison within our Government, the local and State governments, and other foreign governments. Is there any formal liaison, for example, between your office and the Customs Office?

Mr. NELSON. We have an ongoing liaison with Customs and with the FBI on matters such as we are talking about; yes.

Chairman ROTH. Is there a free exchange or automatic exchange of information? How does it work?

Mr. NELSON. Perhaps if I describe one of our investigations, it might fill you in better. We make an arrest; an incident to that arrest is a search and we obtain a lengthy mailing list of individuals interested in obtaining child pornography. We share these mailing lists throughout the United States with the inspectors in the various locations. They in turn with the local law enforcement. If Customs or the FBI will be appropriate, we will certainly share it with them.

Chairman ROTH. I think that is a very critical point. Do these lists circulate automatically, particularly between you and Customs, and similarly, does Customs immediately make any available that they receive? What specifically do you mean by if appropriate?

Mr. NELSON. If it is a matter of local collectors of people who are trading or loaning collections, it is generally not going to be of too much interest to Customs. They are concerned with interdiction at the ports coming in. The people I am speaking of in this case are not dealers, not really large traders. If we have indications that they are large operators, that is when would share them with Customs.

Generally there is sharing with everybody. There is no formal means of doing what you are saying; there is no formal established program.

Chairman Roth. I am not an expert in the area, but it just seems to me the more exchange of information there is, the better off we are. I am glad to hear that there is an exchange. I urge you to review the process, however. What about the State Department, is there any exchange of information with them?

Mr. Nelson. No, not to my knowledge.

Chairman Roth. You say the problem is more widespread than generally believed. Do you have any statistics, hard statistics? I have seen a lot of, what I call, guesstimates. How do you base your conclusion that it is more widespread?

Mr. Nelson. I guess I can go back to the 12-month period we recently ended where we concluded something like 150 to 160 investigations. To date there have been something like 65 or 70 arrests. Others are pending; 40 some convictions. We have seen a need to train some 75 or 76 inspectors in pornography investigations, especially in child pornography investigations. And perhaps maybe going back a few years, I don't believe any of us thought it was as widespread as it apparently is.

Chairman Roth. Let me ask you this. We have had testimony indicating the belief that the amount of local child pornography distribution is relatively minimal; that most of that is coming in from the outside. Would you agree with that analysis?

Mr. Nelson. From a production standpoint, I think most of it is produced from the outside; that's right.

Chairman Roth. Is that distributed generally by U.S. mail once it comes into this country?

Mr. Nelson. We have not found that in our investigations; no. Most of our investigations have involved what you refer to as local people who reproduce things themselves, somewhat crudely in many instances, and loan them or trade them and a few of them sell their photographs and video tapes. The material we are talking about that are produced overseas are nice glossy magazines and very high quality type things. We have not come across many of those in our 150 or 160 cases we have investigated.

Chairman Roth. Do you think covert letter writings and other techniques you mentioned will soon outlive their effectiveness and thus require investigators to use sophisticated means to expose pedophiles?

Mr. Nelson. I don't know. Ultimately they may. Soon you may have to change the name of an organization, change the location at which you have your mail address. That has been a technique used for sometime. It still brings a lot of good leads. There are certainly other alternatives we can go to should that ever become an avenue that is nonproductive for us.

Chairman Roth. What is your view of the current laws? Are they adequate from your standpoint or would you propose any modifications or changes be made?

Mr. Nelson. I think from our standpoint, the current law is adequate. I think if you would want any kind of recommendation from me on something that would make these investigations easier, let us get better intelligence, in some fashion come to some agreement with some of these countries, such as some of the Scandanavian countries that produce and ship all of this. We need to do something there to assist law enforcement in determining who is ordering, who are the wholesalers here that order.

Chairman Roth. I only have one further question. Do you have any method of exchange of information with State and local police authorities?

Mr. Nelson. We exchange information on everyone of our cases with law enforcement areas having jurisdiction in the area in which the arrest is made. That is a standard procedure; yes.

Chairman Roth. How about the exchange of lists, distribution lists?

Mr. Nelson. We provide them with the lists.

Chairman Roth. Automatically or only when you move ahead?

Mr. Nelson. We take local people with us unless it happens to be something very—well, I would say we take local people all the time; maybe us and Customs if it's a controlled delivery of an item of foreign origin. We make copies of those lists and share it with the local law enforcement.

Mr. Weiland. Let me just ask, Mr. Bazley, how long have you been a postal inspector?

Mr. Bazley. Approximately 11 years.

Mr. Weiland. Do you have any way of comparing the extent of the child pornography problem in the United States today as opposed to when you first came on duty?

Mr. Bazley. I would say the problem 11 years ago was a fact we probably were not aware existed. To suggest it has grown in 11 years may be inaccurate. I think it was there. We were unaware of it or didn't want to deal with the issue.

Mr. Weiland. One of the problems, of course, the subcommittee has faced is trying to get a handle on the extent of the problem. Mr. Nelson has said that it is more widespread today. The witnesses yesterday certainly confirmed that. Do you have any means to measure it yourself or do you have any means perhaps Mr. Nelson is not aware of that circulates in the ranks of the Inspection Service?

Mr. Bazley. If you look at the sole number of investigations we have opened since the initial passing of the Protection of Children Against Sexual Exploitation Act of 1977, we investigated over 900 allegations of mailing child pornography. That itself, I think, is significant. When you are talking about the fact these types of situations may very well have started with child abuse to begin with. I think that makes it even worse, had numerous, perhaps thousands of children been abused to produce this type of material.

Chairman Roth. I wonder if it is not really a matter of trying to push this under the rug as in the past, whereas today more efforts are being made to expose it and to alert families, people, and the public at large as to the problems. For that reason we may be aware of a great number of cases than in the past. Would that be the situation?

Mr. Bazley. I would agree with you wholeheartedly. If we look at our statistics over the past year, the number of cases, number of arrests we had since a lot of incidences have come to light, it has been, I hate to use the term a banner year in terms of the statistics we gathered. You don't like to see the statistics, but at least we have uncovered them.

Chairman **Roth**. I want to thank both of you for being here today. I appreciate your interest and efforts in this area. Mr. Nelson, I would like to express my appreciation for the assistance you have given this subcommittee in the past. We are very appreciative of the fact we had a couple of your inspectors work on other matters. I want to compliment you for the excellence of their work.

Mr. **Nelson**. It has been a pleasure. We are happy to do that.

Chairman **Roth**. Our next witnesses are Mr. Dworin and Mr. Thorne. Gentlemen, raise your right hand.

Do you swear the testimony you will give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. **Dworin**. I do.

Mr. **Thorne**. I do.

Chairman **Roth**. We are pleased to have both of you here today. Our next witnesses are career investigators in the field of pedophilia and child sex crimes. I think, the two of you have something like 30 years of experience in the field. Bill Dworin is a detective of the LA Police Department and Bill Thorne is a detective with the Bergen County New Jersey District Attorney's office. The prepared statements you submitted will be put in the record as if read.[1] [2] I welcome both of you gentlemen. Mr. Dworin, why don't we start off with you.

TESTIMONY OF WILLIAM DWORIN, LOS ANGELES POLICE DEPARTMENT; AND LT. WILLIAM G. THORNE, BERGEN COUNTY PROSECUTOR'S OFFICE, HACKENSACK, NJ

Mr. **Dworin**. Thank you, Mr. Chairman. Approximately 85 percent of all child molestations are committed by somebody the child knows, either a parent, family friend or a person entrusted with the custody of the child. Yet frequently we only tell our children to be aware of the total stranger, not to get into the stranger's car and not to take candy from a stranger. Today I would like to talk to you about one other type of molester. That is the pedophile.

The pedophile is a person, and individual, who has a sexual interest in children and takes pride in this sexual interest. It is either a man or woman. They come from all social, economic, religious, racial backgrounds. They could be the corporate executive, the blue-collar worker, the police officer to the attorney, the priest, to the social worker, but they have all one thing in common, they all see children as a sex object.

How a pedophile operates is through seduction, rather than force and fear as a total stranger might or through duress as in incest. The pedophile uses affection and attention to gain sexual favors from the child. He becomes the child's best friend, purchases gifts for the children, takes them on outings or amusement parks. He frequently becomes a surrogate father to the child. Once this trust is established, he then begins the sexual seduction of a child.

Frequently child pornography is used in the sexual seduction. One of the prime uses of child pornography is to display the material to lower the child's inhibition; to show the child that other children are engaged in similar activity and that it's a normal and natural thing and also it encourages the child to pose for the pedophile.

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[1] See p. 120 for the prepared statement of William Dworin.

[2] See p. 123 for the prepared statement of William G. Thorne.

Child pornography is produced by the pedophile. He is the individual who is the main producer of this material. He is the individual who is exchanging material with one another through underground networks, and although child pornography has been estimated at anywhere from a multi-million to a $2 billion yearly industry, more child pornography is distributed noncommercially through pedophilia networks.

Because the pedophile takes pride in what he is doing and believes society is wrong for condemning his activity with a consenting child, he makes this stipulation that the child is consenting. Organizations have been formed to justify this activity. Organizations such as the Rene Guyon Society whose motto is "Sex before year 8 or then it's too late," and in their newsletter they claim a 4-year-old's anus is large enough to accept a male's penis without any pain.

There is another group called NAMBLA. North American Boy Lovers Chapters Association, with many chapters throughout the United States. The Childhood Sensuality Circle headquarted in San Diego has many thousand members throughout the world. They were formed in the late 1960's. There is PIE, the Pedophile Information Exchange from London, and PAN, the Paedo Alert Network. These are all organizations that believe in the sexual liberation of children and children's rights. They believe the idea that children have a right to decide for themselves who their sexual partners should be.

One of the reasons a pedophile will seek out this type of organization is a validation, a validation that what they are doing is not abnormal but is an accepted practice in the pedophilic community. But more important then this validation is that these pedophilic groups allows pedophiles to be placed in contact with one another. The Childhood Sensuality Circle requires that you fill out an application listing your sexual preferences, your age preference, your hobbies and your background. This application is then forwarded to five or six other CSC members having similar interest as you.

Once this contact is established between pedophiles, child pornography is frequently exchanged. One reason is exchanges for the need to prove you are, in fact, a pedophile and not a police officer or postal inspector.

There are two other groups that are very active. One is "Wonderland, Lewis Carrol Collector's Guild" out of Chicago. Again, they have a newsletter, copies of which are on the bulletin——

Mr. WEILAND [interposing]. Excuse me; let me just interrupt, Mr. Chairman. I think we ought to point out for the record that the five poster size, blown-up photographs in the hearing room today are covers of pedophile organization type newsletters that circulate fairly freely, and Mr. Dworin has just referred to the Wonderland newsletter, two examples of which are on display in the hearing room and I would ask that facimilies of these covers be made part of the record.

Chairman Roth. Without objection, so ordered.

[The three photographs referred to were marked as Exhibit No. 2, for reference, and follow:]

EXHIBIT NO. 2

WONDERLAND

Published by
David Techter
#25-B, 2520 N. Lincoln
Chicago, IL 60614

NEWSLETTER OF THE LEWIS CARROLL COLLECTORS GUILD

The Lewis Carroll Collectors Guild is a voluntary association of persons who believe nudist materials are constitutionally protected expression and whose collecting interests include preteen nudes. Subscribers and advertisers do not need to be members. Single copies are $2.50 each. A four-issue subscription costs $8.00. Payment should be made to David Techter and sent to address above.

Participate!

A collectors club is only what you make it to be. The most rewarding result from *Wonderland* has been the warm personal letters from so many of you who previously were just names on a mailing list. A dozen or so collectors have become regular correspondents. Don't be left out if this appeals to you. Write today and tell me about yourself and your collecting interests. I will answer all. If you have an urgent problem, call me at 312-929-0722. I'll be delighted to hear from you!

¶If you'd like to contact other members, write a brief letter telling about yourself and your collecting interests, make five or so copies, and send these to me at the address on the masthead, along with a 20¢ stamp for each copy. I will forward these to collectors who most closely match your interests and/or those who are closest to you geographically. I cannot guarantee you will get replies from them, but past experience has indicated that the majority of collectors are delighted to get such notes and respond immediately.

¶If you know of sources for material, have a favorite book or film you want to review, or just want to sound off, take a few moments to write to us. Member contributions (literary as well as financial) are always welcome. Don't vegetate, participate! Together we shall win. --*David Techter.*

New Premiums

Premium #6: A further excerpt from Edwards' "The Child Lovers", the section "A Love Affair", the first-hand account of Edwards' romance with 7-year-old Diane. Honestly told.

Premium #7 (Available May 1984): "Childhood Remembrances, 1931: The Picnic". A 5-year-old boy in rural Georgia learns the difference between boys and girls. The author, March Hare, has promised two further episodes if this first story is popular. A *true* story, incidentally.

In progress, some boy-related stories.

Still available: #1, *New York vs. Ferber*, complete text of Supreme Court's child pornography decision plus layman's analysis; #2, "Our Repressive Society", excerpt from Edwards' "The Child Lovers"; #3, LCCG vs. *LHJ*, reprint of *Ladies Home Journal* article on child pornography, with David Techter's seven-page reply pointing out the lack of documentation or outright errors; #4, Sonnenschein vs. Sonenschein, anti-pedophile article from *Penthouse* with David Sonenschein's pamphlet "What Is Pedophilia Anyway?" (study both sides!); #5, "Girl on the Swing" plus Donte Revaeb's sketch "Michelle".

Each of these is available for a donation of $5.00 or more to our administrative and legal expenses (two for $10.00 or more, etc.). Make payment to David Techter and send to address on masthead. Thank you!

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Number Five, Spring 1984

FANCIER OF FAUNS & NYMPHS
[illegible]

Adrates: Ads up to 30 words, $3.00; 31-60 words, $5.00, including typesetting. Write for rates on larger ads.

MAGPIE
THE OBSERVER
GAY NEWS
NOTTINGHAM EVENING POST
CHILDHOOD RIGHTS
The Forbidden Speech
Introduction
ON LOVING RELATIONSHIPS HUMAN AND HUMANE
MAGPIE 14
no longer alone!
Inside: age of consent bombshell
new group to support PIE
UNDERSTANDING PAEDOPHILIA
PIE
TOLERANCE & RESPECTABILITY
WHAT HAS PIE DONE SO FAR ?
PAEDOPHILIA
Some questions and answers
MAGPIE
CHEMICAL CASTRATION REPORT
Sentencing Policy
20p
MAGPIE
PIE TO HOLD FIRST PUBLIC MEETING
BOY-LOVE: FANTASIES, REALITIES, LEGALITIES
Contact!
MAGPIE

PAN
Paedo Alert News

a magazine about boy-love

NEWS
Bloomington, Auckland
London, Paris,
Melbourne, Washington

ARIZONA BLUES
a story by
Kevin Esser

ON CHILD LABOUR
IN THE THIRD WORLD
by J. Darling

LETTERS
Jews and paedophobes;
Dr. Groth in Somers

BOOKS
CLICKING BEAT ON THE
BRINK OF NADA
by Keith Hale;
PANTHOLOGY THREE

BOYCAUGHT
Should parents know?
by Edward Brongersma

THE BATTLE LINE
Wishful thinking

number 18

Mr. Dworin. These newsletters, again, and their articles encourage the molestation of children, but more importantly than the articles are the ads in the magazines, newsletters. For example, an ad in one of the newsletters states: "Private collector wants nude color photos of cute preteen girls. Polarioids OK. Send on approval and state best price. R. Marsh, York, PA.

I was aware of Mr. Marsh from 1978 during an Indianapolis investigation of child pornography. He disappeared at that time only later in 1983 to reemerge in Wonderland magazine.

During an undercover investigation of Mr. Marsh, he violated Federal law in distributing child pornography to me. It was turned over to State officials. and during their investigation they found he was charged with 19 counts of child molestation. A warrant had been issued. He had disappeared but he was finally arrested based on our information.

Another ad found in the magazine, "Former subscriber to Person-to-Person wishes to hear from others in the Los Angeles area. W.J.W." Again, we know these ads are authentic and many pedophiles seek out pedophiles through these ads because this last ad was placed by myself in an undercover capacity. From this investigation. I identified pedophiles not only in the Los Angeles area but from throughout the United States, pedophiles who were exchanging child pornography, but more important who were molesting children.

We were able to take these persons into custody based on our undercover activity. "Wonderland" magazine also offers a service as a warning to subscribers.

In their publication and a follow-up newsletter, there are two paragraphs. The first states that: "In December, there was a tri-State bust for alleged pornography distribution. I and several of your followers were netted by an undercover cop out of Los Angeles named William Dworin, also known as Pete Davis." And in the second paragraph David Techter, the publisher of Wonderland, states: "I must apologize to trusting readers who might have replied to a recent ad by W.J.W. Ward is likewise an undercover police agent, possibly the same William Dworin.

I feel I am doing some type of job when I get my name in the various publications identifying myself as a police officer.

There is another magazine that was on the market in 1978 called "Person-to-Person". When we conducted our investigation of "Person-to-Person", we found that his mailing list contained in excess of 10,000 names of people throughout the United States and Canada having a sexual interest in young girls. Of these 10,000 names, over 3,000 were active in either corresponding with or placing ads in the "Person-to-Person" Directory. I would like to read their policy:

> Person-to-Person Directory is intended to provide a service to those with an interest in the physical and sexual development of children. Recognizing that the promise of the First Amendment is not a practical reality, the content of this publication is limited to ensure survival. However, we strongly advocate individual freedom of expression, including your right to see, read and express opinions on any subject, whether popular or unpopular. While adult sexual involvement with children is not advocated or promoted, we think those who want to express or absorb ideas on the subject of youthful physical and sexual development deserve a forum free of social stigma. The directory may well serve that function.

Within the Person-to-Person Directory, I would like to read two ads: "Seeking correspondence with those of similar interest in preteens to age 13; either sex OK. Color photos desired. Willing to trade." The second ad: "A man 41 interested in young girls six to 12. Wishes to correspond and meet others with same interest. Would also like to meet young ladies personally."

Again, we found that these ads are to be accurate. During our investigation of these ads, we have corresponded with pedophiles in an undercover capacity and in one instance received a letter from a pedophile in Boston who indicated that he first had sex with his daughter when she was a week old and this continued for approximately 7 years until the time of his arrest. He was also photographing and molesting students in his school in which he acted as music teacher. He bragged of exchanging or selling photographs to pedophiles throughout the world.

A pedophile is unique in that they have a specific age preference toward children. For example, one pedophile might be interested in only 6 to 10 year olds. When a pedophile surpasses that age preference, the child is no longer of sexual interest to him and the child is usually pushed aside and more guilt is placed on the child.

One of the problems facing society is a lack of recognition of how the pedophile operates. It is very easy to accept that the dirty old man in his trenchcoat is molesting children. It is much more difficult to believe that a person who you entrusted your child to or somebody in your own family might be molesting that child. It is much easier to believe that the child is making the story up. And when the child tells law enforcement, social worker, schoolteacher, that he or she was sexualy molested and goes into any specific detail, then the child should be believed because they don't have the capabilities to fantasize and go into any details on that molestation.

Another problem we see is that children are considered willing victims, willing in the fact that they weren't forced into the sex act but they were seduced into it. And because this seduction was over a long period of time, the child feels a lot of guilt for not telling the parents initially and they allow this sexual activity to continue, fearing that they would be punished rather than the suspect and also fearing that they didn't want to get their best friend, which the pedophile is frequently, into any trouble.

There is no community in this country that is immune to the pedophile. Approximately 80 percent of pedophiles had been victims as children, similar to the abused child syndrome. They grow up to be the child abusers. The victims are frequently alienated from family and community and we see antisocial patterns forming—runaways, prostitutes, pornography, drug abuse, alcohol abuse, burglaries, thefts and a higher instance of suicides.

There is one last thing to consider. During our investigations, we have identified a number of suspects who are in sensitive positions, either in government, military, defense work, public life. These persons, if identified by the wrong individual, are open to extortion. Recently an informant has advised us that while he was in the child porn distribution business, two individuals had approached him offering to buy his mailing list, in particular lists containing zip codes around defense plants, Government installations and the like. This informant felt the individuals were foreign agents and he was very fearful. Thank you.

Chairman ROTH. Thank you. I think rather than start questioning at this time, we will proceed with Mr. Thorne's testimony.

Mr. THORNE. Good morning, Senator Roth. At this time, I would like to thank you for the thousands of kids that these hearings may help throughout the United States.

Chairman ROTH. I think the most important thing is protection of the children.

Mr. THORNE. Absolutely.

Chairman ROTH. You are doing an enormous service in an area that is unbelievable.

Mr. THORNE. Bergen County is a county located across the Hudson River from New York City. It has less than a million people in population. My office has 78 investigative personnel in its office. Eight of those investigative personnel are devoted to sex crimes and child abuse. Also two of our assistant prosecutors deal solely with the crime of sex crime.

From January 1, 1984, to the present, we have arrested over 100 adult males for sexually molesting children. For the purpose of investigation and interviewing techniques, we classified pedophiles into three distinct groups: The first group is the incestuous parent; second, child molester; and third, the most dangerous is what we consider the pure pedophile. Psychiatrists bunch up all three. They are all pedophiles, there is no doubt about it.

The incestuous parent is usually the father and he will repeatedly sexually abuse his daughter or daughters until they leave the home, or until they tell someone they are being abused. The child molester is usually a hit or miss. He will stop his vehicle, grab a kid off the street, sexually molest that kid, let the kid get out of the car, if it took place in the car, and go onto another victim.

The pure pedophile is the outstanding problem to the sexual safety of our society's children. The pure pedophile uses all the persuasive powers at his disposal to lure and coerce his victims and sometimes even his victims' parents to commit or allow sexual exploitation to exist. The pure pedophile actually courts or woos his victims. His association is very similar to that of a man-woman dating relationship. He spends money, gives gifts and generally buys the companionship of the victim.

The pedophile is generally a man with extremely poor peer relations. He usually is employed, unmarried and he usually gives or donates many hours of voluntary unpaid service to community activities which involve children. He will have dozens of victims; sometimes hundreds and sometimes thousands of victims.

In Bergen County for the first 10 months, as I previously stated, we arrested over 100 adult males. While much media attention has been given to this problem, we have found that the vast majority of the men committing these crimes against children are independent of each other and are not part of any organized pedophile group.

In 1982, this unit became aware of an organized pedophile group known as the "North American Man Boy Lovers Association," also known as NAMBLA. Information was received that some of NAMBLA's members were residing in Bergen County, NJ. After this awareness, we began an investigation into the activities of these men and the investigation resulted in the arrest of two active NAMBLA members and two men who have been meeting goers.

On June 18, 1982, Mr. James Cooper, age 41, of Paramus, NJ, was arrested for aggravated sexual assault on a 14-year-old boy. On February 3, 1984, Mr. Cooper was convicted of two counts of criminal sexual assault and two counts of criminal sexual contact. Mr. Cooper was sentenced to 5 years in the New Jersey State Prison. Mr. Cooper was the recording secretary of the New York Chapter of NAMBLA.

A search warrant was executed on Mr. Cooper's home. The result of that search warrant was the seizure of numerous items, used for the furtherance of NAMBLA's activity and for the fulfillment of Mr. Cooper's sexual preferences. Among the items seized from Mr. Cooper's home were numerous pieces of NAMBLA materials, such as monthly NAMBLA bulletins, checkbooks for NAMBLA, meeting minutes and video cassette tapes of NAMBLA conferences. In addition a computer and software, hundreds of slides and photos depicting boys, mimeograph machine, a police radio scan, a number of books dealing with man/boy love were recovered.

It must be noted that a great majority of the photographs and slides that were seized were of young boys that were wearing clothes. Most of these photos were taken at sports contests and depicted children wearing various sports uniforms. Some photos were apparently random shots of children on a beach wearing bathing suits and others were of children playing in parks and playgrounds. The photos that did depict children in the nude were minimal, however they did exist.

The photos and slides of children in various types of clothing are significant because they show the pedophile does not use a child only for definitive sexual pleasures but he is engrossed totally with the child. He is turned on by the child's body and also by the type of clothing worn by that child, clothing such as the macho-type sports uniform of hockey, football, and soccer.

The walls of Mr. Cooper's bedroom were covered with photographs of young male TV and motion picture actors, similar to the photos found on the bedroom walls of an average teenage female. I have those photographs here, Senator. These photographs illustrated the fact that a pedophile has a preoccupation with the cute, young and clean-cut male body.

Prior to Mr. Cooper's trial and sentencing the trial judge received over a dozen letters written on Mr. Cooper's behalf by citizens who held Mr. Cooper in high regard. Some of these letters came from teachers, an engineer, an attorney, a director of municipal recreation program and friends who knew Mr. Cooper through civic organizations to which he had belonged. Most of these letters refer to the fact that Mr. Cooper was very active in boy scouting, the American Youth Hostel program and youth bowling leagues.

They also cited Mr. Cooper's role as a schoolteacher. It is interesting to note that these are exactly the type of activities to which a pedophile gravitates. A pedophile must be around kids.

Sometimes our society is lulled into a false sense of security, the lack of knowledge and refusal of some persons to admit that the sexually exploited child does exist has let this problem run virtually unchecked. I am of the opinion that such groups as NAMBLA, Rene Guyon Society and others, are not as severe a threat to our children as we may feel they are.

All intelligence on NAMBLA shows there are 75 to 100 active members. It shows also approximately 1,000 NAMBLA bulletins are distributed every month. Most are sold in seven bookstores in the United States, three in New York City, one in Philadelphia, one in Atlanta and at least two in Los Angeles and in one store in Ontario, Canada.

It is the pedophile with no organized affiliations who is the real threat to our children. It is also my opinion that because of the attention that has been given NAMBLA and other such groups by the media, the general public, priests and social services personnel have become more aware of this problem. NAMBLA representatives appeared on local and national television shows and have expressed their views on child sex. The population has not agreed with these views, particularly those that advocate the abolishment of the age of consent. There has been a huge public outcry to discredit these organizations and to expose the groups for what they are. These groups exist solely to permit the sexual exploitation of our children for the gratification of adults.

The population of this country is now demanding that law enforcement agencies on all governmental levels take an active role in combating this threat to our children. As a law enforcement official who is active in the investigation of child exploitation, I believe that several measures can be implemented to prevent future exploitations. One is the establishment of a central registry on a Federal level to be responsible for the collection, organization, and dissemination of pedophilia intelligence information. A necessary element to the usefulness of this registry will be the cooperation which is heretofore almost nonexistent among law enforcement officials on all levels, Federal, State, county, and local.

Two, the allocation of moneys or equipment to educate our children, parents, school personnel, and other child custodians about the existence of the problem, the nature of the acts and the methods of preventing future exploitation.

It is my feeling we have been so successful in Bergen County because moneys have been made available by my office to my staff. Lectures are given on a regular basis to the community and people have been made aware of the problem.

And three, I would like to see the standardization of police academy training procedures in the area of the detection and prosecution of pedophiles. There are police agencies and police officers throughout the United States who still don't know that the problem does exist.

In conclusion, the existence of pedophilia and child exploitation is a fact of life in the United States. It is my belief that the current investigations of these activities have been on the tip of the iceberg nature. The problem is more widespread than any of us want to conceive. This problem, however, is not insurmountable, as witnessed by the willingness of citizens in Bergen County, as well as in other jurisdictions to put forth testimony of children and convict individuals accused of these crimes. Public reaction to these pedophiles has been negative. The people of the United States are not prepared to accept the pedophile philosophy under the guise of sexual liberation. The efforts of law enforcement to eliminate child exploitation must be accelerated with the help of improved legislation and with the cooperation of these persons who are in the position to report possible situations of exploitation.

It must be expressed clearly to our pedophiles that the children in the United States are not for sale and they are not instruments of sexual gratification. Our children are a legacy to the future and a legacy should be allowed to mature, absent these predatory individuals whose aim is to undermine our children's sexual normalcy. Thank you.

Chairman **ROTH**. Thank you very much. As I mentioned a few minutes ago, our key interest, of course, is the protection of children. None the less, the other side of the coin is we don't want to create Big Brother. I mean, we have a problem as to how to detect, an offense and, how do you protect the children from it, because of the very nature of the offense. You say the majority of offenders are not those individuals associated with public organizations but the ones that sort of act on their own. They are the bigger threat.

Mr. **THORNE**. That is what I feel.

Chairman **ROTH**. Would you agree with that?

Mr. **DWORIN**. The various organizations are the support group. People not involved in the organizations do get support and confidence that—even though they are not actively involved in the various organizations, they still feel because these oganizations exist, it is all right for them to molest children. So even though they are not active in these organizations, the organizations are a support for them to accept the fact that molesting children is acceptable.

Chairman **ROTH**. Are you familiar with the *Minnesota* case where a pedophile accused 30 to 40 other people of also being involved? Finally the charges were dismissed. What were the facts in that?

Mr. **WEILAND**. My understanding, Mr. Chairman, is that one individual implicated numerous other people in Jordan, MN. There were several indictments returned. Ultimately most of those indictments were dismissed and the single individual admitted that he had implicated these people solely to get a lighter sentence. Would you like to comment on that? Does that kind of an experience crop up in your own work or is that——

Mr. **THORNE**. [interposing]. It is always a threat when you deal with an informer, which apparently they dealt with. I just hope the investigative expertise in my office would have seen through the informant's story. Not being there, I don't know what his story was.

Mr. **DWORIN**. I think it is important that should this type of information come to light, the proper interviewing of the children will either prove or disprove what the informant has said. Again, not being personally involved with the investigation, it is hard for us to comment on it.

Chairman **ROTH**. I think in a way this goes back to two of your recommendations. One, it is important that our police officers be well trained. When they make an investigation to assure there is substance to it. I am a strong believer that once you ruin an individual's reputation, you can never put it back together. So there is that side of a coin. That is the other reason I agree with your second recommendation. Education and information is so critically important to families, to schools and to other groups so that they can be vigilant in watching and assuring this sort of thing doesn't happen.

I notice in your first recommendation—I was interested in that—you say that a necessary element to the usefulness of this registry would be the cooperation heretofore almost nonexistent among law enforcement officials on all levels, Federal, State, county, and local. Would both of you agree there has not been the degree of cooperation, exchange of information that would be most helpful?

Mr. DWORIN. I, on a personal level, knowing various agents throughout the United States, have not had that problem. We have had cooperation with State-Federal agents throughout the country on a one-to-one basis.

Chairman ROTH. I understand one of you uses a computer in your work. Wouldn't a computer offer one means of providing a better data bank and cooperation?

Mr. THORNE. Absolutely, Senator. We disseminate information in our computer to various jurisdictions, not just in Bergen County, especially not just in New Jersey. For instance, if Bill Dworin called me from Los Angeles and asked me to check a name out, I can throw it into my computer. If it is in there, I can give him that information that is in that computer. However, when I mention cooperation, when we recovered records from NAMBLA, it mentioned people throughout the United States and other countries. What that simple meant to me as far as disseminating the information, I had to make hundreds of phone calls to different jurisdictions to disseminate this information. If the computer was set into operation some place here in Washington, I could send a list of those names to that agency and have it put in the computer. They should then be able to disseminate that information a lot easier than I can.

Chairman ROTH. As you know, we have created a new office for missing and exploited children. It seems to me this might be a logical place to consolidate cooperation and exchange of information. Are you familiar at all with this office?

Mr. THORNE. Vaguely; yes, sir.

Chairman ROTH. Have either one of you had any contact with it at this stage?

Mr. DWORIN. I am familiar with the office. Unfortunately, because of the publicity, there seems to be more cases involving missing children. They are conducting almost 80 percent of their investigations on children who are kidnapped or taken by parents or missing from the streets rather than the exploitation. Again, it is a manpower allotment, and money is necessary to increase that agency to target the exploited child as well as the missing child.

Chairman ROTH. From testimony we had yesterday, I gather that your first, at least my first thinking was in many cases it was a runway child that was sexually abused. But I gather from the testimony yesterday and from what you said today, that is not the case. In many cases, the children are living with families—that that is the principal problem; is that correct?

Mr. THORNE. Sir, nobody runs away to Bergen County, unfortunately. The problem we do have are children living in our county.

They are not taken from their homes, they are taken on trips and returned to their homes.

Chairman ROTH. That is the serious aspect of the problem.

Mr. DWORIN. Senator, we also know children who are runaways are running away from either a sexually abusive or physically abusive homelife. A study in San Francisco has indicated that 75 percent of the teenage female prostitutes have been molested prepubescent, and, therefore, run away because they are alienated and different in their own peer group and seek out others with the same background.

Chairman ROTH. Is there a tendency of pedophiles to move from one State to another to escape prosecution?

Mr. DWORIN. Very much so.

Chairman ROTH. So that the exchange of information from that standpoint is important.

Mr. DWORIN. Absolutely. Again, looking at Mr. Marsh, he changed his location from Indianapolis to Pennsylvania and in Pennsylvania was molesting some 19 children.

Chairman ROTH. You initially targeted and then arrested a pedophile named Joe Henry. Can you tell us briefly how you found him and the details of the prosecution?

Mr. DWORIN. Mr. Henry first came to my attention in 1978 when we were surveilling a known child pornographer as well as a child molester. He was accompanied by a second individual who we learned was an escapee from the Florida State prison who was charged with child molestation.

When we took this second individual, Eric Cross into custody, we interviewed Mr. Henry and could not at that time determine if he was involved with any children or in the distribution of child pornography. Within the next 6 months, we identified Mr. Henry and 8 other individuals from throughout the world from as far away as London. Mr. Henry is from New York, individuals from Indianapolis, Salt Lake City, northern California and throughout southern California, were traveling to the Los Angeles area to meet with a pedophile by the name of John Duncan and molesting a group of children, 16 children that we have identified from infant to about 16 years of age.

Mr. Henry did not have children to exchange with Mr. Duncan so he paid Duncan $1,000 a week for access to Duncan's children. The children were photographed extensively. These photographs we continue to find now in our investigations. They are still being exchanged between pedophiles. Once a photograph is taken, it always exists. A reproduction of these photographs are still found in magazines such as "Lolita."

Mr. Henry was finally brought back from New York. He pled guilty and was sentenced to the Patton State Hospital as a mentally disordered sex offender.

One other individual with Mr. Henry who was also convicted was Lester Henry, an individual from Indianapolis. Lester Henry was recently released from Patton State Hospital and during the investigation of the Childhood Sensuality Circles, we seized CSC records and found Mr. Henry's letter requesting further information as he was now available to be placed in contact with the pedophiles.

Chairman ROTH. I have wondered whether it would help the situation at all if some kind of program was set up where pedophiles could be offered treatment. Do you think any of them would take advantage of that?

Mr. THORNE. Geraldo Rivera did a "20/20" segment in which he interviewed a pedophile at the end of the show. The pedophile admitted to violating over 3,000 children.

Chairman ROTH. 3,000?

Mr. THORNE. 3,000. Mr. Rivera asked that pedophile if he felt that he should be arrested, and the pedophile said sure I do but I'm not going to give myself up. He then asked the pedophile if he felt he needed help. He said sure I do, but nobody is going to cure me. The attitude of the pedophile generally is that they don't need help and if there was an established place for a pedophile to go to seek the help because in his mind he doesn't feel he needs it, he is not going to seek it out.

Chairman ROTH. Do you agree?

Mr. DWORIN. Very much so. This is a pedophile's lifestyle, young children, and they might convince doctors that they are going to change to avoid longer incarceration periods, but once they are out away from observation, they will go right back to seek out young children, if not to molest, at least to look at them and then given the proper opportunity and motive, he will molest a child. These people are not curable.

Chairman ROTH. Mr. Weiland.

Mr. WEILAND. You all were present earlier when Chuck Nelson and his colleague were asked about the size of this problem today compared to that of a few years ago. Would you each comment based upon your own observations as to whether the problem today is substantially greater than it was earlier or whether this is just a case of increased public awareness?

Mr. DWORIN. I think it is a combination of both. The public awareness has brought to the attention that the problem exists, but from the 1960's on when CSC was formed and throughout actually recorded history, through Ancient Rome and Ancient Greece, we know that children had been molested. The problem exists, it has always been there, but it has recently been brought to the attention of the public. In 1978, person to person had a mailing list in excess of 10,000 names. So we know it has been a large problem.

Mr. THORNE. I agree, but I also feel by my own personal knowledge, every time we go out into the public and give a lecture or hold a seminar, that we get, depending on the size of the audience, maybe a dozen calls in the next 2 weeks from people who have been present at our seminar who are made aware the problem does exist and maybe in the back of their mind they knew it existed. We fortify that and will pick up a phone and call a police department or social agency and tell them about a problem. It is basically because of the education of the public that we are hearing more and more of this type of crime.

Chairman ROTH. It seems to me that education is a very key factor in dealing with the problem because of the sensitive nature of it, we can't intrude into homes and watch exactly what is going on. I would hope that you gentlemen, the programs you have found succeed would be exchanged with other—at police academies in particular—so that others can benefit from your experiences.

Mr. **Weiland**. Just before we close, gentlemen, the staff is aware of various statistics which have been presented allegedly portraying the size of the problem. Is there any particular set of statistics that you subscribe to that you could provide the subcommittee with? Would you care to comment on various statistical studies which have been offered?

Mr. **Dworin**. I don't believe we can project how many children will be molested in the future. We can only look back at those children who reported the crime, because we don't know how many children had been victimized and never reported it. Frequently in our presentation somebody would come up to me and say I was a victim and I have never told anybody until just today. This was brought very close to my attention when I taught a police science class and an officer came up to me and said I was sodomized when I was 6 years old and never told anybody.

So it affects all persons throughout society. Again, statistics, you can play games with them, either pro or con. It doesn't really matter. If we can really help one child, then we will be helping somebody.

Mr. **Thorne**. In my statement I suggested we arrested a hundred individuals, adult males. I couldn't tell you how many kids were involved because we don't keep that statistic. So I agree with Detective Dworin, I don't put too much faith in statistics that are given. I have heard 1 in 4 children are sexually molested, I heard 1 in 10 are sexually molested. If I had a choice, I would go with 1 in 10. At least I hope that is it.

Chairman **Roth**. I think what is important is we want to protect every child. It is not so much a matter of numbers. To be frank, I can think of no more pernicious crime than this, the exploitation, utilization of innocent children I think is the most unbelievable act to comprehend.

Gentlemen, I congratulate, again, both of you for your excellent work in this area, your most helpful testimony. If you have any further thoughts, comments, or recommendations in the future, I wish you would get in contact with the subcommittee. Thank you very much.

The subcommittee is in recess.

[Whereupon, at 10:08 a.m., the subcommittee adjourned.]

APPENDIX

WILLIAM V. ROTH, JR., DEL., CHAIRMAN
CHARLES H. PERCY, ILL.
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COMMITTEE ON
GOVERNMENTAL AFFAIRS
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DEPUTY CHIEF COUNSEL
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CHIEF COUNSEL TO THE MINORITY

August 24, 1984

The Honorable George P. Schultz
Secretary of State
U. S. Department of State
2201 C Street, N.W.
Washington, D. C.   20520

Dear George:

The Senate Permanent Subcommittee on Investigations, which I chair, has for the past several months been investigating the production and distribution of child pornography in the United States. During the course of this investigation my staff has learned that a significant amount of commercially available child pornography is produced and distributed in foreign countries, particularly Denmark and the Netherlands.

The production, use and distribution of child pornographic material is legal in many European cities as evidenced by widespread availability in bookstores and other businesses that selectively cater to prurient interests. Cities such as Amsterdam and Copenhagen typify this widespread commercial availability. As you know, federal law has long prohibited the importation of such materials into the United States (18 USC 1462). Nevertheless, a substantial underground network exists in the United States for European imports of child pornographic materials. Our investigations have found that a lucrative market exists here for European produced child pornographic "video tapes" technically adaptable to American television sets. Apparently, a substantial portion of the foreign child pronographic market is designed for American distribution.

In 1977 Congress explicitly addressed the need to stem the flow of child pornographic materials by passing the "Federal Protection of Children Against Sexual Exploitation Act." Most recently, the President signed into law the "Child Protection Act" (P.L. 98-292) which filled many statutory gaps and made every phase of the pornographic market from production to private use felonious conduct. However, the availability of imported materials catering to pedophiliacs continues.

Since the growing availability of such materials in the United States has been traced to European cities, particularly Amsterdam and Copenhagen, would you be kind enough to supply in detail the following information to facilitate our investigation:

1. What diplomatic efforts have been made to contact foreign officials about the flow of pornographic, particularly child pornographic, materials into the United States?
2. What contact or cooperation have you had with the U.S. Customs Service in dealing with this importation problem?
3. What contact or cooperation have you had with the Department of Justice or other federal agencies in dealing with the importation problem?
4. What are your future plans in dealing with the importation of child pornographic materials?
5. Have any previous efforts on your part been unsuccessful?
6. Can the United States influence the exportation of these materials from the Netherlands, Denmark or elsewhere to any significant extent?

I plan to chair hearings on this matter at a later date and would greatly appreciate your cooperation. In addition to the information sought through these specific questions, any additional information or observations would be helpful.

Thank you for your assistance.

Sincerely,

Bill

William V. Roth, Jr.
Chairman

WVR,JR:jms

United States Department of State

Washington, D.C. 20520

RECEIVED

SEP 19

Dear Senator Roth:

Thank you for your letter to the Secretary of August 24, to which he has asked me to respond. You inquired whether any diplomatic efforts have been made to stem the flow of child pornography into the United States and whether, in our judgment, the US could influence the exportation of such materials from the Netherlands, Denmark or elsewhere.

In an effort to provide a complete answer to your inquiries, we have discussed the child pornography issue with representatives of the Justice Department, the U.S. Customs Service and the U.S. Postal Service. On the basis of these conversations, it appears that no general diplomatic or other effort has been made to inhibit the foreign production or export of child pornographic materials to the United States. On occasion, officials of the Justice Department, the Customs Service or the Postal Service have discussed specific criminal cases or interdiction cases involving child pornographic materials with their counterparts in Europe, but these have been in the nature of uncoordinated, incidental contacts.

To date, the focus of official US efforts to stem the inflow of child pornographic material has been interdiction. As you note, Title 18 of the U.S. Code has long prohibited the importation of such materials into the United States. In addition, under Article 36, paragraph 4-E of the Convention of the Universal Postal Union, "obscene or immoral articles" are prohibited in the international mails. The Postal Inspection Service, in cooperation with the Customs Service and the Justice Department, has an active postal surveillance program which seeks to reduce the inflow of pornographic materials into the United States. US citizens who receive objectionable materials can, of course, ask the Postal Service to suspend delivery of such materials.

In theory, the prohibitions contained in the Convention of the Universal Postal Union could provide a basis for discussing the international transport of child pornographic materials with officials of the Netherlands, Denmark, and other governments. However, the thrust of US efforts with respect to international mails thus far has been to insure their "free

The Honorable
William V. Roth, Jr.,
United States Senate.

flow." In contrast with the practices of the Soviet Union and other totalitarian states, we have sought to promote the doctrine and practice of non-interference with international mails.

Nevertheless, because of the seriousness of the problem represented by the importation of child pornographic materials, we believe that some form of enhanced international effort is necessary to deal with it. We are at present examining the feasibility and effectiveness of an approach to other governments through the U.P.U. or through bilateral diplomatic channels. Before making such an approach, we will work with other interested agencies and bureaus to determine the magnitude of the problem and the countries principally involved in production and exportation of child pornographic materials.

We look forward to working with you and your committee in this effort.

Sincerely,

W. Tapley Bennett, Jr.
Assistant Secretary
Legislative and Intergovernmental Affairs

ROYAL DANISH EMBASSY

Washington, D.C.
September 11, 1984.
Ref.no. 28.Dan.6.

PERM SUBCOMMITTEE
RECEIVED
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ON [illegible]

Dear Senator,

An editorial in The Washington Post last Saturday called my attention to the work currently being undertaken by the Senate Subcommittee on Investigations serving under your chairmanship.

It appears that in the course of its work the Secretariat of your Committee has been provided with information that pornographic materials have been illegally imported into the United States from sources in Denmark, among other countries.

You will understand the grave concern this matter has caused in Denmark. The more so, as child pornography was declared illegal by Danish law several years ago.

The concerns which recently have been expressed by you and other Americans in this respect have received extensive coverage in Danish media. In this context I am happy to let you know that the Danish Minister for Justice, Mr. Erik Ninn-Hansen, has issued a statement in which he stresses the repugnance of the Danish Government to any sexual abuse of children, including child pornography.

So far, there has in Denmark been only a few cases of violation of the criminal code pertaining to the distribution of child pornography, the violators having received sentences.

Recent reports in American and Danish media on cases related to Denmark, have, however, prompted the Danish Minister for Justice to initiate extensive investigations. They have not yet been concluded, but the preliminary indication is that the Danish citizens involved have been in possession of child pornographic materials. There are also indications that the pictures in question have not been made in Denmark, but abroad.

The Minister has taken this opportunity to remind the public of the fact that according to the Danish criminal code any person who makes pornographic pictures involving children - or cooperates in this - shall be liable to a maximum penalty of 10 years in prison.

The Honorable
William V. Roth, Jr.
Chairman, Permanent Subcommittee
on Investigations

Any person who sells and otherwise distributes child pornographic material - regardless of its country of origin - is liable to a fine (and confiscation). It should be added that the Minister for Justice is presently looking into the possibilities of increasing the penalty for such offenses to the effect that persons distributing child pornography may be liable to imprisonment.

I trust, Mr. Senator, that the above information will be a testimony to the seriousness with which the Government of Denmark is striving to bring an end to any possible activity which may imply sexual abuse of children for such sordid purposes.

Sincerely yours,

Eigil Jørgensen

Eigil Jørgensen
Ambassador of Denmark

United States Senate
WASHINGTON, D.C. 20510

October 5, 1984

His Excellency
Poul Schluter,
Prime Minister of Denmark,
Copenhagen

Dear Mr. Prime Minister:

The United States and Denmark have many ties that are warmly cherished by the people of both countries. Our friendship is longstanding and cemented through common struggle against tyranny. However, a link of a distasteful sort has grown between our two countries, without the knowledge or approval of the great majority of our people. This link is the trade in child pornography.

Much of the culpability for this sordid trafficking rests on our own shores. The United States is a major market for these obscene materials. We deplore this fact. The American people have been shocked by reports in recent years about child pornography in the United States and our apparent lack of effectiveness in stopping it. At every level of government, Americans have supported vigorous action to apprehend, convict, and punish severely those who are engaged in the production of and trafficking in these materials. We are determined to redouble efforts to curb our country's involvement in this despicable crime.

The Child Protection Act of 1984, enacted last May, strengthens U.S. federal laws against child pornography. In addition, almost all of our fifty states and many municipalities have enacted or strengthened laws against child pornography, and law enforcement personnel are diligently working to stem the flow of these materials through our mails and customs. We are having some success. During this fiscal year, our customs officers have seized approximately 1,900 pieces of child pornography coming into the United States. However, stopping the importation of these materials is very difficult, and we are in critical need of the full cooperation of countries who are exporting them for the United States market.

The United States Senate has recently been informed by U.S. Customs officials that 85 percent of the child pornography imported into this country comes from the kingdoms of the Netherlands and Denmark. In addition to Your Excellency, we are writing to the Prime Minister of the Netherlands.

This is a subject which, due to international publicity, is being widely discussed today by thoughtful people in your country, as well as ours. Furthermore, there can be no doubt that the people in our two countries, in our mutual traditions of moral strength and love of family, deplore our participation in this shameful exploitation of children.

Prime Minister Schluter
October 5, 1984
Page 2

As legislators, we write to Your Excellency, asking for your support and suggestions with respect to possible avenues of cooperation between our governments and law enforcement agencies in order to curb production and trafficking in child pornography. We feel confident that our two countries can work together, as well as in concert with other nations, to combat successfully the international distribution of these salacious materials.

Respectfully yours,

Bill Roth
William V. Roth, Jr.
United States Senator

Nancy Landon Kassebaum
Nancy Landon Kassebaum
United States Senator

Jim Abdnor
James Abdnor
United States Senator

Paula Hawkins
Paula Hawkins
United States Senator

Pete V. Domenici
Pete V. Domenici
United States Senator

Alfonse D'Amato
Alfonse D'Amato
United States Senator

Bob Kasten
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Jack Danforth
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J. James Exon
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Paul Sarbanes
Paul S. Sarbanes
United States Senator

Mack Mattingly
Mack Mattingly
United States Senator

Strom Thurmond
Strom Thurmond
United States Senator

Alan J Dixon
Alan J. Dixon
United States Senator

Dan Quayle
United States Senator

Claiborne Pell
United States Senator

Rudy Boschwitz
Rudy Boschwitz
United States Senator

Edward Zorinsky
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Charles H. Percy
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John Glenn
United States Senator

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Steven D. Symms
United States Senator

Jake Garn
Jake Garn
United States Senator

Dick Lugar
Richard G. Lugar
United States Senator

John Heinz
John Heinz
United States Senator

AMBASSADE VAN HET KONINKRIJK DER NEDERLANDEN

ROYAL NETHERLANDS
EMBASSY

No. ________ November , 1984

Subject: Text of letter from the Prime Minister of the Netherlands to the Senators who signed the letter of October 5, 1984 concerning childpornography

I read your letter of 5 October 1984 with close attention. On behalf of the Netherlands, too, I endorse the friendship and close ties between our two nations.

Certainly, a cause from grave concern which the Netherlands and the United States share with many other nations is the evil of the increased dissemination of child pornography. Although it is difficult to find out the scale of this, at either the national or the international level, the gravity of the problem of child pornography has impressed itself on the Netherlands government as on others. We were not aware of the data you give on imported child pornography from this country and elsewhere. I need hardly point out the problems involved in an investigation of international trade in publications of this kind. For example, we have no reliable information on the countries in which child pornography is produced, and we consider it highly probable that such material is imported into this country as well. Nor do we regard it as beyond the bounds of possibility that countries which themselves produce no child pornography act as transit countries in international trade in this sort of pornography.

As you undoubtedly know, the Netherlands is at present working on the revision of its morality legislation. The provisions on pornography are among those under review. Deeply concerned as it is over all aspects of the problem of child pornography, the government very recently saw fit to propose a bill to parliament making it a criminal offence to manufacture, distribute, import, transport or export this type of pornography. The courts will be able to sentence a convicted person to a term of imprisonment and a not inconsiderable fine. The lower house of the states general approved the bill on 6 November 1984. If the upper house approves it, the amendment will come into force sometime in 1985.

Another result of the bill's passage through the lower house is that the distribution etc. of other pornography, where it is known to have been produced through the commission of a criminal offence - such as rape, assault, blackmail or threats - is itself to become a criminal offence.

As well as taking this step in our national legislation we are more than willing, together with the United States and other nations, to look for ways of intensifying cooperation in the matter of controlling the production and transport of child pornography and of pornography portraying the commission of a crime.

signed R.F.M. Lubbers

3200 Whitehaven Street, N.W.
Washington, D.C. 20008

28th November, 1984

Ref.28.Dan.6.

Dear Senator Roth,

I have been instructed to inform you that the Danish Government has considered again the sad matter raised by yourself and other members of the United States Senate in your letter of October 5th, 1984, addressed to the Prime Minister on the problem of child pornography.

My Government looks upon these matters with grave concern and you will already be aware, from previous communications, that legislative action was taken here back in 1980 in order to criminalize also any distribution of pornographic material involving children in addition to the already existing provisions in the penal code according to which the production of such material is already severely punishable.

Reference should be made again in this connection to the statement made by the Danish Minister for Justice which I was last instructed to bring to your attention All cases of child pornography are being carefully investigated by the police. However, the outcome so far of the investigations in the cases which were specifically brought up earlier this year in an NBC-broadcast seems to indicate that the material found by the police in these cases consisted of photographs taken elsewhere than in Denmark. This obviously does not relieve us of our concern in these matters, but it seems that we may so far be in a similar situation to that of the United States in these cases.

The Danish Government finds it most important to fight abuse of children. The Minister for Justice has therefore instructed the police to give investigations of child pornography cases a very high priority. The Minister is closely following the investigations in the two cases mentioned above. In order to strengthen as much as possible the cooperation between our two countries in this field the Minister for Justice would sincerely appreciate to receive any specific information concerning persons in Denmark traficking in child pornography which the US authorities might possess. In this regard Denmark will also be ready to receive and assist representatives of US authorities concerned with this matter.

The Honorable
William V. Roth, Jr.
104 Senate Hart Office Building
Washington, D.C

In awaiting your reply, I should also add my Government's appreciation of the thoughtful and balanced way in which the Senate has approaced this delicate matter.

May I finally state that you will always find the Embassy of Denmark ready to assist you to the best of our ability in your endeavours in this case.

Copies of this letter have been forwarded to Senator Arlen Specter and to Deputy Assistant Secretary John H. Kelly.

Sincerely yours,

Eigil Jørgensen
Ambassador of Denmark

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December 28, 1984

His Excellency
Ruud Lubbers
Prime Minister of the Netherlands
's-Gravenhage
The Netherlands

Dear Mr. Prime Minister:

I was pleased to receive your letter of November 12 concerning the international distribution of child pornography. As I am sure you are aware, the Permanent Subcommittee on Investigations of the United States Senate has since heard testimony regarding this most troubling subject.

I agree with your observation that these investigations are made even more difficult by the international nature of this nasty business. I am pleased to hear of your willingness to seek ways of intensifying cooperation between our two countries and amongst the other countries affected. I am convinced such cooperation is imperative if we are to curtail the distribution of child pornography. I am also personally committed to assist in this effort in whatever way possible.

The Commissioner of the United States Customs Service has informed me that his office has recently forwarded evidence of particular interest to your government via the U.S. Customs Service attache in Bonn. I have also been informed that the United States Department of State intends to intensify its liaison effort between the appropriate law enforcement offices of our two governments. I believe these are positive steps towards the goal both our governments seek—the eradication of child pornography and the protection of our children.

I will continue to urge our government to work with your government in positive ways to seek solutions to this difficult problem. I hope you will call upon me if I can be of assistance to your government in this matter.

Respectfully yours,

Bill Roth

William V. Roth, Jr.
Chairman

COMMERCIAL CHILD PORNOGRAPHY AND PEDOPHILE ORGANIZATIONS:

AN INTERNATIONAL REPORT

Testimony Before
The United States Senate
Committee on Governmental Affairs
Permanent Subcommittee on Investigations

November 29, 1984

Presented By

Professor Kenneth J. Herrmann, Jr.

Statement Prepared By

Professor Kenneth J. Herrmann, Jr.

and

Michael John Jupp

of

DEFENSE FOR CHILDREN INTERNATIONAL - USA
534 Eighth Street, Brooklyn, New York 11215

and

DEFENSE FOR CHILDREN INTERNATIONAL
Ancien Palais des Expositions
34, boulevard du Pont d'Arve
Case Postale 359, CH-1211 Geneve 4
Switzerland

> "Without new ideas and strategies, several million more children are going to die in the decade ahead than was thought possible even three short years ago - and many millions more are going to suffer mental and physical damage unless a new way forward is found."
>
> \- James Grant, UNICEF Chief

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Introduction

Defense for Children International - USA wishes to express its gratitude to the members of this Sub-Committee for the opportunity to express its findings and its views on this important subject before the United States Senate. We are delighted to be able to share our concerns and the information we presently have available about this insidious problem which dramatically affects the lives of millions of children throughout the world.

We wish to make clear from the beginning that there is much that can be accomplished to suppress this trade in children if the political will is present, if the proper resources are made available, and if a purposeful and creative approach is used. We sincerely and respectfully express our hope that this is not just another committee hearing where the findings will be relegated to obscurity. This is an opportunity for the beginning of an international effort in which the United States can play a key role. There are too many children, both in this country and abroad, whose lives will depend on the courageous leadership of the United States Senate and national and international organizations.

Defense for Children International - USA

DCI-USA is the American chapter of the Geneva, Switzerland-based, international child advocacy movement called Defence for Children International (DCI). The parent organization was founded in 1979, the International Year of the Child, with the mandate to promote and protect the rights of children as defined by the 1959 UN Declaration of the

Rights of the Child and other relevant national and international legislation.

This is a membership organization, with members in over forty countries and affiliated organizations in forty more. It produces a quarterly magazine, the International Children's Rights Monitor; special reports on problems adversely affecting children; consultation for the United Nations, various national governments, and a wide-variety of national and international organizations; actual case intervention for individual children who allegedly have had their rights violated by adults, institutions, government agencies, and other groups; and other activities to promote children's rights. We engage in direct intervention, investigation, education, and indirect assistance - all focused on the actual implementation of the UN Declaration of the Rights of the Child. We presently enjoy consultative status with UNICEF and are on the Roster of the United Nations Economic and Social Council and in working relationship with other UN affiliated bodies.

DCI members are predominantly social workers, child care professionals, educators, pediatricians, lawyers, police officers, and interested non-professionals. It is non-partisan and non-sectarian. DCI has received government, church, and foundation support from Norway, Canada, Great Britain, Denmark, Switzerland, the Netherlands, Sweden, Finland, New Zealand, West Germany, the Council of Europe, and UNICEF.

DCI-USA is incorporated as a not-for-profit organization in Massachusetts. The DCI-USA Board of Directors is representative of experts in various professions and business. Its Executive Director, Mr. Michael Jupp, is both the director of DCI-USA and DCI's representative to various UN committees. He has experience in social work, criminal justice, and international affairs.

Our authority, admittedly self-imposed, comes from the UN Declaration of the Rights of the Child itself, in which the General Assembly

> "...calls upon parents, upon men and women as individuals, and upon voluntary organizations, local authorities and national governments to recognize the rights set forth therein and strive for their observance..."

We believe that the matter under investigation today falls under the provisions of Principle 9 of the Declaration, which states:

> "The child shall be protected against all forms of neglect, cruelty and exploitation. He shall not be the subject of traffic, in any form."
>
> "The child shall not be admitted to employment before an appropriate minimum age, he shall in no case be caused or permitted to engage in any occupation or employment which prejudice his health or education, or interfere with his physical, mental or moral development."

Findings

It would seem appropriate to begin by telling you about Jesus, age nine. DCI-USA became aware of this angelic-looking Hispanic boy on August 17, 1984. He arrived at a day camp on the Lower East Side of Manhattan in New York City that morning in tears and walking as though in pain. A youth worker took the time to talk with him. The story of Jesus is one of horror. His horror is shared by millions of other younger and older children. He is a native of Acapulco, Mexico. The father of his large and very poor family was approached three weeks before by a visiting Anglo who offered to take the boy to New York, provide him with an education, teach him English, and eventually find him a job. Some money changed hands - we do not yet know how much - and Jesus came to the Lower East Side of New York City. The neighborhood is described by the New York City Police as "the drug supermarket of the world." It is populated by rows of derelict buildings and what appear to be countless derelict people. The effect of the community was traumatic for Jesus. The repeated sodomizing by the Anglo was even worse. Because calls to the "hot line" for child abuse and to the New York City Bureau of Child Welfare resulted in no response, the day camp called DCI-USA for advice. As a result, the child was taken to a precinct station and the Anglo was arrested. Inquiries of local people revealed that the Anglo had brought a boy of similar age from Mexico the previous summer and a boy from the Dominican Republic the summer before. Those two children have never been located. We also do not know if photographs had been taken of the children being sexually victimized for sale in the child pornography market. The case is still being investigated by DCI-USA.

The four aspects of the sexual exploitation of children are exemplified in the story of Jesus: child trafficing, child pornography, child prostitution, and pedophiles. These have been a major concern of DCI since its inception. We have done our best to investigate and examine this with the limited funds available to us and to report objectively. This report to the United States Senate details our findings as of this date and our recommendations for action to combat this problem.

We were commissioned by UNICEF to prepare a major publication on this issue in 1982. We have carried extensive reports on this in our own magazine, and we have taken the lead with other organizations in two major international studies. The results are extremely disturbing.

Ms. Katie David of DCI found astounding exploitation in a 1982 study. The investigation found evidence that child sex package tours were being offered in the Netherlands, West Germany, Japan, and the United States. These tours took people to Sri Lanka, Thailand, and the Philippines; offered the tourists guides to help negotiate the prices of child prostitutes; advice on the advantageous hotels to use; advice on how to circumvent local laws; advice on how to deal effectively with local officials, and a whole host of other benefits.

A leading magazine in this field is called Spartacus. ERO Tours in a West Germany is merely one example of an organization engaging in such activities. There are other magazines and other child sex tourist agencies.

Mr. Bo Carlson of DCI is completing a study on the sexual exploitation of children. This will be released early in 1985. Radda Baren (Sweden) and the Anti-Slavery Society (Great Britain) are working with DCI on this study. It is clear from the early results of this study, however, that the lack of public pressure to enforce even the existing laws to combat child pornography have resulted in this industry prospering.

Denmark is an example of one nation in which child pornography results in few arrests and prosecutions. This is not an issue of police corruption but rather an issue of a problem having low priority, a problem shared by most children's issues both nationally and internationally.

DCI is quite disturbed by reports received from U.S. tourists and professionals who have returned from the Philippines. It appears that the number of children engaged in prostitution in that country is unusually high near U.S. military installations. It, also, was reported to DCI-USA on October 19, 1984, by Sgt. Thomas Rodgers of the Indianapolis Police that there is a disproportionately high number of U.S. military officials on child pornography distribution lists.

The ILO reports that there are 200,000 young male "masseurs" in Bangkok, Tailand alone. Mr. Tim Bond, a British social worker, tells us of at least 2,000 male children engaged in prostitution in Colombo, Sri Lanka.

A shocking report was received by DCI at their General Membership Meeting at the International Congress on Child Abuse and Neglect in Montreal, Canada, in September 1984 of an actual child auction in Amsterdam, The Netherlands. This event was allegedly not an isolated event. It saw the buying and selling of children by photograph for the purposes of pornography production and child trafficing for such purposes. We are still investigating such reports and believe that such activity may take place in a variety of nations.

The children who enter this market are frequently street children. This is a population of about 170 million children or 3.8% of the world's population. No more than 500,000 receive services by professional agencies. The vast majority of these hopeless children live without care and supervision and are readily available for the exploitation we are concerned about today. It was reported at the "Shelter the Children '83," an international conference in New York last year, "There is also the growing awareness that many young girls, while not actually living on the streets, suffer similar deprivation as indentured house servants, child prostitutes or the reluctant mistresses of rich men." This is a major problem in Central and Latin America, Africa, and East Asia. Although in smaller numbers, the problem is escalating in London, New York, and other developed nations.

Many of the other children who enter this market are sold by economically deprived parents who have to make the awful choice between selling their children or starving. Some come from the international adoption system. Others are children stolen from families in the United States, Europe, and other nations. It could well happen that a child missing from Washington today could be seen in pornographic pictures next year in Germany. This approach to supplying children affects all socio-economic groups. The victims could be the sons or daughters of U.S. Senators or the staff of this Sub-Committee as well as the children of the poor.

International trafficing of children is conservatively estimated as a five billion dollar business. There are considerable, sophisticated networks linking these issues internationally. The phenomena are becoming more commercialized with a probable involvement of organized crime in several nations. The hundreds of millions of children involved in this broad problem all suffer irreparable damage with severe social consequences for both the countries in which the victimization originates and in which it is consumed. There are no national boundaries for such activities, as is illustrated by the story of Jesus this past August and the children who preceded him.

Progress in Efforts to Combat This Problem

Efforts have been made to fight this problem of the sexual exploitation of children around the world. None of these has been successful. Some have made progress.

It was reported to DCI in 1983 that the Australian Pedophile Support Group, an international sex syndicate in Melbourne, had been deeply involved with boys in the Philippines through the taking of obscene photographs, sexual abuse, and the establishing of perverse relationships. Some of these victimized children had been taken into Australia for illicit purposes under the banner of foreign foster parent support groups. The reaction of the Philippine authorities was to promise to take action to protect such children. In the past, however, little had been done when such information was brought to their attention. We suspect that this lack of action may be due to the massive amount of money available to such abusive organizations.

DCI became aware in January 1984 of the death of prostitutes in a fire in Phuket, Thailand, a resort island. Subsequent investigations confirmed our suspicions that children were a part of this sex-selling market. A parliamentary commission announced that thirteen year old girls were paid two dollars a week, were drugged, were beaten, and were tied to their beds in the brothels. Both tourists and local police were clients. The investigation continues.

We are pleased to report that Professor Jaap Doek, member of DCI and a family court judge in the Netherlands, informed us on November 6, 1984, that His Excellency Korthalls Altes, the Dutch Minister of Justice, has submitted a bill to Parliament prohibiting the production, distribution, and possession of all forms of child pornography. Amendments have been presented which will include prohibitions on offering to or exposing children to any form of pornography. Also, the proposed legislation will prohibit depicting sexual activity involving a person under the age of sixteen. However, the punishment for violations will be but three months in prison and/or a fine of 10,000 guilders (about $3,000). Professor Doek said that he anticipated the passage of the bill by the lower house with amendments to strengthen it. It will then be submitted to the Senate. This bill is a necessary beginning in that nation and marks the culmination of DCI-Netherlands' efforts. We are grateful to the National Broadcasting Company in New York for its intervention which undoubtedly accelerated the legislative process. This legislation will enable longer-term success.

Ingrid Almbadh, Secretary to the Swedish Commission on Sexual Offenses, has informed us regarding proposed amendments to Sweden's penal code that will broaden the criminal definitions of sexual misconduct and increase the penalties for the sexual exploitation of minors and the production of child pornography.

There are, of course, several international treaties addressing this issue: The Conventions for the Suppression of the Traffic in Women and Children, 1921 (as amended by the Protocols of 1933 and 1947); The International Agreement for the Suppression of the White Slave Trade, 1904 (as amended by the Protocols of 1910 and 1949), ratified by the U.S. Senate but poorly enforced in the case of Jesus and countless others; The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1950; The Conventions for the Suppression of the Circulation of and Traffic in Obscene Publications, 1923 (as amended periodically); and, of course, the UN Declaration of the Rights of the Child.

Although these pieces of legislation are or are in the process of being enacted outside the United States, they are of critical importance to American children. There is no distinction in this world of the sexual exploitation of children between a domestic and an international market. The conventional wisdom among many investigators has been to distinguish between the "glossy" commercial child pornography - much of which has been produced in Europe - and the low-quality or home produced pornography of the United States. We have seen copies of photographs of known

American children that have been circulated through informal, domestic markets which appear years later in the European market and are re-circulated in the United States.

The commercial trade in child pornography was once prevalent more than today in the United States. It partially moved to Europe because of the lower-risk in production. Many of the photographs used originated here.

There is a developing market for child pornography supplied to our country from East Asia. We are investigating the source and believe it may originate in Thailand, the Philippines, or Sri Lanka.

Recommendations

1. Whatever action is taken must contain a strong and uncompromising sense of moral outrage. This moral outrage must form the foundation of intervention and must take into account the inextricable linking of all forms of the sexual exploitation of children.
2. The issue must be seen as not merely the exploitation of children by adults but also as exploitation of the lesser-developed nations by the more developed nations.
3. Efforts to educate the public must be supported. Inadequate public recognition of the scope and complexity of the subject has resulted in little funding for investigation. Money must be made available and must be invested in both public education and in investigations by public and private organizations equipped to provide such services.

4. There is a need to review, consolidate, and enforce existing treaty laws and conventions. Strong enforcement has been lacking, and we wish to submit this as the key to breaking the high-levels of illegal activity which exist today.
5. We urge the creation of a Clearinghouse to identify the producers and distributors of child pornography and those engaging in the international trafficing of children for sexual exploitation wherever they may be. This would prompt local police action to seize equipment and supplies and to confiscate material. It might also identify the children involved and assist in returning them to their families.

As it took the combined effort of the Anti-Slavery Society and the British Navy to stop the slave trade, the same combination of public and private action may serve to stop this devastating trade in children.

The United States Administration is urged to earmark a part of its annual donation to UNICEF to be used for the creation and operation of such a Clearinghouse. DCI will assist in this effort if it receives the necessary funding. We stand ready to help in developing the organization of a working party to lay the foundation for such a resource.

Projections

Based on our contacts, members around the world, and our continuing investigations, we submit that the East Asia trade will increase, the European trade will either go underground or will attempt to return to our country, the problem of such exploitation will increase in its various forms dramatically during the coming year, and the increase in home production will further support the international business of child trafficing for sexually-illicit purposes.

Summary

Pedophiles appear to have large, well-organized, and indexed supplies of obscene materials. They also have ready access to vulnerable children both in our country and abroad. This is necessary both for the seduction process and to satisfy their psychopathological needs. We know that they will spend large sums of money and will go to great lengths to obtain both material and children.

Despite our nation's past efforts, the United States is still the biggest importer and producer of films and videos portraying young children in explicit sexual acts and forms of sado-masochism. Our citizens are also among the most frequent purchasers of sex-tourism which exploits young children.

In 1978, His Excellency Ole Algaard, the Norwegian Ambassador to the UN, said, "Children have no special human rights body to address their grievances." DCI is attempting to remedy this problem through its work. Our work, however, needs the involvement of all governments in the promotion of children's rights. Private organizations cannot produce the funds, legislation, and personnel necessary to protect the children of our country and all other countries from the horrors we have detailed for you today.

We thank you for your attention to this urgent matter and your kind invitation to Defense for Children International - USA to present this testimony. We promise our continued and active commitment to children's rights advocacy both in the United States and throughout the world. We stand ready to assist you and all other groups in this and related efforts to protect children from oppression and victimization.

Again, our sincere appreciation for your concern for children.

AUTHORS

PROFESSOR KENNETH J. HERRMANN, JR.

Ken Herrmann, Jr. is a member of the Board of Directors for DCI-USA and has been a member of Defence for Children International for several years. He is a full-time faculty member of the Department of Social Work, State University of New York College at Brockport. Prof. Herrmann is the author of two books on children's issues: I Hope My Daddy Dies, Mister (1975) and I'm Nobody's Child (1982). He has authored numerous articles on related issues and has presented papers at a wide-variety of national and international conferences. He is a frequent lecturer for professional and community groups across the country.

Prof. Herrmann has a professional history of work in a children's institution in Colombia and refugee work in Vietnam. He has been a caseworker in public and private agencies in the United States, family therapist in a children's residential treatment center and in private clinical social work practice, and both national and international advocacy efforts for children and children's issues. He provides consultation for agencies and organizations and serves as a member of the New York State regulatory body for his profession, i.e. the State Board for Social Work.

He resides with his wife and five children in Upstate New York.

MR. MICHAEL JOHN JUPP

Michael Jupp is the Executive Director of DCI-USA and United Nations representative for Defence for Children. A British citizen, he came to the United States three years ago as a Visiting Scholar in the International Center for Comparative Social Welfare, Rutgers University.

Mr. Jupp has served as a rural police trooper in Africa and as a police inspector in England. He has traveled extensively in Europe, Australasia, Africa, and the Americas.

He read politics, sociology, and economics at the Senior Police Staff College in England and Social Work and Law at Newcastle upon Tyne Polytechnic.

A recognized expert on children's rights and related international activities, Mr. Jupp has worked in child advocacy as a police professional, social worker, and lawyer. He has advised local, county, and state governments in the United States, England, and Northern Ireland on children's issues. Mr. Jupp has published articles on drug abuse enforcement, the amalgamation of police forces, and street children.

He is a member of several NGO committees at the UN. Mr. Jupp is married to Christine Heeg, an American. She is in charge of the Inner City Program for Save the Children. They live in Brooklyn, New York.

CHILD PORNOGRAPHY:
PERPETUATING THE SEXUAL VICTIMIZATION OF CHILDREN

R.P. "TOBY" TYLER AND LORE E. STONE

ABSTRACT

Children have been sexually exploited throughout recorded history. The invention of the camera and subsequent related technological advances (slides, movies, instant picture cameras and video tape) have provided new avenues for the exploitation of children by facilitating the distribution of pictorial representations of these children on a world wide basis.

A major use of commercial child pornography is to convince a potential child victim that the sexual acts desired by the adult offender are fun, exciting, can satisfy the child's curiosity and are a societally acceptable means of affection.

Commercial child pornography publications contain numerous pictures of children viewing child pornography, in some cases replicating the pose(s) depicted in the viewed material.

Although many jurisdictions have now prohibited child pornography, the need for a world wide ban remains, as the remaining producers distribute their material throughout the world.

(THE PRESENTATION OF THIS PAPER AT THE CONGRESS INCLUDED SLIDES PREPARED FROM ACTUAL CHILD PORNOGRAPHY PUBLICATIONS, DEMONSTRATING THE ABOVE BEHAVIORS)

CHILD PORNOGRAPHY:
PERPETUATING THE SEXUAL VICTIMIZATION OF CHILDREN

AUTHORS' NOTES:

1. Child pornography, for the purpose of this paper, refers to **pictorial** depictions of children in sexually explicit poses and acts.
2. Gender, whether stated as masculine or feminine, should be read as masculine **or** feminine.

INTRODUCTION

Children have been sexually exploited by adults since homo sapiens acquired the intelligence and reasoning capabilities to recognize that sexual activity can provide a sense of power, control, gratification, and recreation. The sexual exploitation may have varied in methodology, but included the physical molestation of young children.

Sketches, drawings and statues, featuring depictions of children in various lewd acts have been produced for centuries. Writings which feature the sexual use of children have existed since this form of communication was acquired by man. The invention of the printing press provided for even more widespread circulation of such material, offering detailed and descriptive tales of the sexual use of children.[1]

The original development of photography provided a new medium for the sexual exploitation of the world's children. Photographs of children engaging in sexual activity with adults, children and animals were sold in Europe as early as 1862.[2]

CHILD PHOTOGRAPHER OR PORNOGRAPHER?

One of the earliest photographers who took special pleasure in photographing young girls "... in any amount of undress" was Charles Lutwidge Dodgson (1832-1898), a clergyman (Deacon) at Oxford University's Christ Church College. The first references in Dodgson's diaries to photographing a nude girl child are dated May 21, 1867, in which he refers to having photographed Beatrice Latham, age six (6) "sans habilement" (sic). Dodgson photographed a veritable parade of nude girls, although only a small number of these photographs still exist.[3]

Though these photographs would not likely be considered obscene by todays standards, in the Victorian era, nudity, in and of itself, was considered to be scandalous and shocking.[4]

Did these child models perceive themselves as exploited, notwithstanding the absence of any evidence of physical molestation (or vice versa)?

While at least one author claims that Dodgson was an "avid collector" of child pornography,[5] others have defended Dodgson,[6] suggesting that children were perceived as asexual at this time in history. However, it is unlikely that this is so since child prostitution and child pornography flourished during this same time period.[7] This would suggest that society's claimed perception of children as "asexual" was a societal denial of the realities of child sexual exploitation, a denial which society has only recently started to eliminate.

In 1880, Dodgson abandoned photography, and it has been speculated that he did so in order to avoid a scandal. In fact, after Dodgson's death, his nephew, who did not wish to "lift the veil from dead sanctities" deleted portions of Dodgson's diaries.[8]

Dodgson was also a writer and his writings included many books of children's stories. His best known books include "Alice's Adventures In Wonderland" and "Through the Looking-Glass". Charles Lutwidge Dodgson is the true name of Lewis Carroll.[9]

THE CURRENT PROBLEM

Production of child pornography has flourished and is now identified as a multi-million dollar international business.[10]

Unlike sketches, drawings and statues, which may or may not have employed live child models, pictorial depictions require that a child must be exploited in order to produce the published product.

Production, distribution and sale of child pornography is a secretive business, making a determination of the extent of the problem extremely difficult. Estimates of the number of children involved range from the thousands to the hundreds of thousands. Available statistics cannot be verified and the facts and figures vary, but one thing is clear: a significant number of children are being sexually exploited through the medium of child pornography.[11]

Child pornography has been sold, without legal interference, in the United States, Denmark, Sweden and The Netherlands (Holland).[12]

In many parts of the world there has been a marked increase in the public awareness of child pornography. With this increasing awareness, often via the media, demands for laws prohibiting child pornography have often been heard by legislators and those charged with enforcing existing laws.[13]

These laws often address the issue from the perspective of **preventing child abuse** rather than "obscenity," due to the freedom of the press so valued in western countries. In other words, the effort has been directed not at pornography per se, but rather at the sexual exploitation of children that is required for the original production of such material.[14]

In 1977, the United States Congress and various states of the union passed laws specifically prohibiting child pornography. As of 1980, Denmark and Sweden have adopted prohibitions against child pornography,[15] and in July, 1984, the Amsterdam (Holland) police initiated action against sellers of child pornography.

CHILD PORNOGRAPHERS

Child pornographers may be teachers, lawyers, doctors, law enforcement officers, members of the clergy, laborers - in sum, child pornographers are from all walks of life. Production of original child pornography (the original photo, movie or video tape) by organized "sex rings"[16] supplies some of the material which becomes available for commercial distribution. In fact, some of the participants use the classified advertisements in child pornography magazines or other "underground" publications to establish new contacts:

> "WHO CAN GIVE AN ADDRESS OF A GOOD PEDOPHILE CLUB, PREFERABLY IN THE DISTRICT OF COPENHAGEN?"[17]

> "LOLITA CLUB STARTING. VIDEO, 8MM, MAGAZINE EXCHANGE. LET US HEAR FROM YOU!"[18]

It appears, however, that private individuals, rather than organized "sex rings," supply most of the material which finds its way into commercial distribution:[19]

> "THIS MAGAZINE CAN ONLY EXIST IF YOU HELP US! SEND US PHOTOS FROM YOUR COLLECTION! THANKS."[20]

> "WE DESPERATELY NEED MORE PHOTOS FROM PRIVATE FILES."[21]

THE PROFIT MOTIVE

A child molester involved with a child or with several children realizes that they (the victims) will grow older, out of the molester's age or developmental preference. The child molester also realizes that he will have periods in his life during which he will have no victims to molest. Child molesters therefore have a compelling need to record the acts of physical molestation with their victims.[22] They will use whatever tools are available, from the mind (memory), a simple written diary, a computerized diary, photographs, motion pictures and most recently, video tapes. These events are then recalled or viewed at will by the molester for self gratification.[23]

Those who use photography (photographs, slides, motion pictures) or video tape to record their sexual activity with children can profit from the production of such material. The profit may be in the form of money, but often the profit is in the form of new and different child pornography materials.[24] These persons can trade with other child pornographers on an individual basis, or they can trade their original material to the producers of commercial child pornography for subsequent commercial distribution.[25]

Video tape is the newest and most technologically advanced means of recording such activity. For less than two thousand dollars (U.S.), a high quality consumer video tape recorder and camera can be purchased. This equipment provides for the recording of a high quality color image, complete with sound. This medium allows for immediate viewing (on a television set) and requires no outside processing, which virtually eliminates the opportunity for discovery by persons who might report such offenders. In addition, video tape recordings are easily duplicated (requiring only two video machines connected together) and are easily sent through the mail.

Child pornographers include both intrafamilial[26] and extrafamilial sexual exploiters. Many of these persons become acquainted through placement of advertisements in "underground" newspapers or specialty publications such as child pornography magazines. These advertisements will vary in explicitness from coded advertisements that only other offenders will comprehend, to very direct offers:

> "FAMILY MAN SEEKS OTHERS WITH SIMILAR INTEREST."[27]

"PRETTY MOTHER WITH PRETTY YOUNG DAUGHTERS INVITES INQUIRIES FROM GENTLEMEN ANYWHERE, WHO ARE INTERESTED IN MEETING US OR IN PHOTOGRAPHY."[28]

"LOVE THEM YOUNG AND INNOCENT! WILL BUY PHOTOS, MAGAZINES, VIDEO TAPES OF YOUNG GIRLS OR BOYS..."[29]

COMMERCIAL CHILD PORNOGRAPHY

Commercial child pornography could not be produced without the many child molester/pornographers supplying original material for publication and/or duplication.

Publishers offer compensation for original material. This compensation may be in the in the form of money, however the compensation usually consist of past or future items of commercial child pornography. After these items are traded or purchased by the commercial producers of child pornography, the original material (picture, movie or video tape) will be reproduced on repeated occasions. The same publisher may publish the same photographs on six (6) or more occasions in magazines with different titles, mixing the pictures so that a complete duplication of a magazine does not occur. The various publishers also appear to freely plagiarize each others material as well. This material will remain in circulation and be used and reused for many years.[30]

Original child pornography is submitted from all over the world to the commercial producers. There have also been investigations which resulted in the identification of child exploiters who travel the world to have sexual contact with children and who pictorially record the activity, which is subsequently found in commercial child pornography.

A CYCLE OF VICTIMIZATION

Perpetuating the sexual victimization of children is the most insidious purpose of child pornography.

Children are curious about sex. Playing "doctor and patient" or a similar game of exploration is not unexpected behavior in children, and most professionals do not become alarmed at such activity **between age mates.**[31] Child molesters are known to relate in a childlike manner to their target victims,[32] and frequently use an "exploration" type approach to exploit their victims.

Child molesters who possess child pornography in any form use such material to facilitate the "seduction" of new victims. The typical child exploiter will befriend the potential victim, as most child molesters are found to do, and after establishing a trusting and "affectionate" relationship, will introduce the child to "kiddie porn." This may occur as the result of the offender allowing the victim to "accidentally" discover such material and in other cases, the material is displayed by the offender under the premise of "sex education." The purpose of these methods of introduction to "kiddie porn" is to lower the inhibitions of the child, to arouse their curiosity about the activity depicted in the material and to entice the child into participating in similar activity.[33]

The child molester/pornographer will also use this material to convince the child to participate in the production of similar material,[34] even identical poses.

Child pornography is also utilized to blackmail child victims (depicted therein), who attempt to terminate exploitive relationships.[35]

Child pornographers rarely, if ever, destroy their collections of child pornography, even when threatened with discovery and arrest, although they may take extreme measures to secrete the material. The material is considered to be the exploiter's "prized possession(s)" and is so valuable in fulfilling their lifestyle, they will risk serious consequences rather than destroy their "kiddie porn."

A SOLUTION?

If child pornography is universally legitimatized, then it will cease to be a legal problem (as would any crime that is decriminalized).

There are some who advocate making child pornography legal, under the umbrella of "childrens' rights." One author has stated that the "...legal scapegoating of the publishers, sellers and buyers of child-oriented pornography could actually contribute to a rise in crime(s) against children" [36] suggesting that children are forced into child pornography victimization via kidnapping and rape.

In reality, children are usually tricked, coerced or "seduced" into participating in the production of child pornography, most often by someone towards whom the child feels trust and affection.[37]

All nations can prohibit the production and distribution of child pornography. The United States, since enacting laws to prohibit such material has reported some measure of success in curtailing this problem.[38] The action against sell s of child pornography in Amsterdam was the result of pleas by community members, especially youth workers, who were seeking to inhibit this form of abuse to children, and the concerned response of the Amsterdam Police.[39]

In addition, since the several nations enacted prohibitions against child pornography, there has been a significant decrease in the quantity of new commercial child pornography materials produced, apparently in response to the decreased profit resulting from the inhibited sales.[40]

Child abuse reporting statutes (in those societies which employ them) can be amended or adopted to require photofinishing laboratories to report suspected child pornography that is discovered during the processing of film submitted to such laboratories.[41] Such legislation will allow intervention by protective agencies, and perhaps prevent other children from becoming the "stars" in new "kiddie porn".

CONCLUSIONS

Prohibitions, combined with vigorous efforts to enforce the prohibitions is an effective tool in combating the international sexual exploitation of the worlds children in the medium of child pornography.

As long as any nation allows the distribution of child pornography, it will be distributed throughout the worlds and it will continue to be used to perpetuate the sexual victimization of the worlds children.

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Statement of Charles P. Nelson
Assistant Chief Postal Inspector
Office of Criminal Investigations
Permanent Subcommittee on Investigations
Committee on Governmental Affairs

November 30, 1984

Mr. Chairman, I am Charles P. Nelson, Assistant Chief Postal Inspector for criminal investigations of the U.S. Postal Inspection Service. I appreciate the opportunity to appear before this subcommittee today to discuss our efforts to enforce federal laws prohibiting the mailing of child pornography.

The Postal Inspection Service is the investigative arm of the United States Postal Service. It has investigative jurisdiction over all violations of federal criminal laws relating to the Postal Service and is responsible for performing internal audits of the Postal Service and providing for the security of postal facilities and employees. Among the criminal acts investigated by Postal Inspectors are:

1. Those acts involving attack upon the Postal Service or its employees; such as theft of mail, armed robberies, burglaries, and assaults on postal employees;

2. Secondly, those offenses involving the criminal misuse of the postal system for purposes such as the mailing of bombs, the conduct of fraudulent schemes, and, of course, the mailing of pornography.

Since our investigative authority does not extend beyond the domestic postal environment, our role in investigating child pornography is somewhat limited. Generally, we concentrate our efforts on those individuals or organizations who distribute child pornography through the mails in violation of 18 usc 2252. Of course, we will pursue the distribution of child pornography by other means such as common carriers and the production of child pornography when evidence of these types of violations surfaces in one our postal related investigations. One of our first priorities in these investigations is to prevent child abuse. Whenever there is evidence that child abuse is taking place or is imminent, we will immediately request appropriate local authorities to become involved. Overall, we have enjoyed excellent working relationships with agencies at all levels of government in the investigation of these offenses.

Our service has acquired over 100 years of experience in enforcing pornography laws. Our involvement in this type of activity can be traced back to 1865 when Congress passed the first postal obscenity statute. This statute (currently codified as 18 USC 1461), while applicable to child pornography, has been primarily used against large commercial dealers in adult pornography. In recent years, a series of supreme court decisions has limited the effectiveness of the postal obscenity statute. Perhaps, these decisions reflect a greater degree of tolerance which the American public has developed towards adult pornography. On the other hand, this same time period has seen a groundswell of outrage develop against the use and depiction of children engaged in explicit sexual conduct. This momentum resulted in the passage of The Protection of Children Against Sexual Exploitation Act of 1977 (18 USC 2251-2253). This legislation prohibited the manufacture or distribution for profit of material depicting children under age 16 engaged in sexually explicit conduct.

We gave priority attention to enforcement of the new law. At least one experienced Inspector in each of our Divisions has been designated as a child pornography specialist. Additional investigative assistance is available to these specialists when needed. They have been provided training that includes instruction from noted experts in the child pornography field such as police authorities, behavioral scientists and prosecutors. The training process is conducted on a continuing basis to ensure that Inspectors assigned to pornography investigations maintain and improve their expertise.

Child pornography investigations conducted by the Inspection Service since 1978 have resulted in the conviction of 143 offenders. Thirty eight of these convictions were obtained during FY 1984. Prison sentences have averaged 10 years each in 20 of these 38 cases.

Traffickers in child pornography have always maintained a low profile. However, since the enactment of The Protection of Children Against Sexual Exploitation Act of 1977, they have virtually gone underground. During adult obscenity investigations, we are often able to order materials directly from solicitations or advertisements, but with child pornographers, we must gain access to the distributors' underground networks. We monitor those publications oriented toward pedophiles, and we maintain close contact with local police and social workers who, in their work, frequently come upon child abuse and/or child pornography. We also examine evidence, such as mailing lists seized during the execution of search warrants, in an effort to identify persons interested in this type of material.

We investigate the distribution of material of both domestic and foreign origin. Generally, the domestic material is of the "homemade" variety, while the imported material is produced by commercial dealers. It should be noted, however, that the technical quality of the "homemade" domestic material is becoming better and better with the increasing availability of sophisticated video equipment. We are also aware that once an item of child pornography begins to circulate, it is reproduced for further distribution, time and time again. As a result, a distributor may be many times removed from the origin of the material.

Our experiences with child pornography operations do not suggest large scale profits, at least here in the united states. Of course, there have been some exceptions to this rule such as the Catherine Stubblefield Wilson case which I will describe later. In most cases, our investigations have led us to collectors, some of whom sell their material while others do not. Those who do not sell their material often loan or trade collections with others who share their interest. In either case, investigations are vigorously pursued to develop sufficient evidence for prosecution.

Our investigations have disclosed two very interesting aspects of the child pornography problem:

1. The problem is more widespread than is generally believed. I feel its pervasiveness is evident in the number of investigations we have undertaken and the number of names on mailing lists maintained by child pornographers which have been seized via search warrants. In some instances, hundreds of names have appeared on a single child pornographer's list.

2. Only rarely does the child pornographer measure up to the stereotype image of the "dirty old man." Many of those displaying an interest held respected positions within their communities and have been able to conceal their interest in child pornography for years. There have been the professional dealers identified in our

investigations, but there have also been clergymen, teachers, psychologists, journalists and businessmen.

To illustrate these two points, I would like to relate the following case histories:

Chicago, IL

On December 8, 1982, William L. Thoma was found guilty in U.S. District Court, Chicago, for violation of title 18, U.S. Code, section 2252 (The Protection of Children Against Sexual Exploitation Act). He had been indicted by a Federal Grand Jury on July 9, 1982, and charged with one count of mailing obscene material (18 USC 1461) and three counts of 18 USC 2252. Thoma was doing business as "Vid-A-Date Unlimited" and "Video Treasures Unlimited." A search warrant for his residence disclosed a garage converted to a video studio and office with records of models and individuals he had done business with. He had photographed a 17 year old girl living with him since her early teens. Photos of the girl and her brother (also a minor) have appeared in the danish publication, Nymph Lover. Thoma was sentenced to four years in prison followed by four years probation and ordered to undergo psychiatric treatment.

Madison, WI

On May 5, 1983, a task force operation by Postal Inspectors resulted in the execution of three federal search warrants for suspected violations of 18 USC 1461 and 2252 at Milwaukee, Madison, and Oregon, WI. Harry Olin Wahl, age 39, was arrested at the University of Wisconsin at Madison and charged with violations of 18 USC 1461 and 2252 for mailing obscene and child pornography material. Wahl was employed as a librarian at the school. The execution of the other search warrants resulted in the seizure of both adult and child pornography tapes, films, photographs, slides, and correspondence, photographic equipment and supplies, and information relating to the purchase, production and distribution of child pornography.

A Federal Grand Jury at Madison handed down a 6-count indictment on May 12. Mentioned as victims in the indictment were two minor females, eight months and three years old. further investigation indicated that at least 23 additional minor females were victimized by Wahl. On November 2, Wahl pleaded guilty to two counts of the charges and was sentenced to 10 years in federal prison with no parole recommended.

Based on information provided to local law enforcement agencies for their investigation, on September 19, 1983, Wahl was arrested as a result of an 11-count indictment returned by a Dane County, WI, grand jury. He pleaded guilty to nine counts of the indictment and was sentenced to state prison for 57 years, to be served consecutively along with the ten years imposed by the Federal Court. In addition, if paroled he is to serve 20 years of strict, supervised probation.

Merchanicville, NY

On January 11, 1984, a New York state tax and finance department clerk, Anthony J. Santagato, age 29, was arrested at his residence by a task force of Postal Inspectors. He was charged with violations of title 18, USC, section 2252, the mailing of child pornography. On five occasions the subject sold child pornographic material depicting females from six to fourteen years of age to an undercover Postal Inspector through the mails. A federal search warrant executed on the subject's residence and automobile produced an estimated $40,000 worth of material, mailing lists, and photographic equipment. Also seized were Santagato's Mercedes-Benz automobile and a parcel containing child pornography which had been prepared for mailing.

The investigation later revealed that Santagato used his position as a tax and finance department clerk to verify customer's identifications through the New York State tax computer.

On January 20, a Federal Grand Jury, Northern District of New York, handed down a 12-count indictment against Santagato, charging 18 USC 2252, sexual exploitation of children; 18 USC 1461, mailing obscene matter; and 18 USC 371, conspiracy. On April 6, 1984, Santagato pled guilty to five counts of 18 USC 2252. On May 4, he was sentenced to ten years in prison on each of the five counts, to run concurrently, and ordered to undergo three months of psychiatric examination at a federal facility due to his suicidal tendencies. The judge in this case later reduced the sentence to two years in prison followed by 5 years probation as a result of the psychiatric findings.

Salt Lake City, UT

On January 25, 1984, a Federal Grand Jury in Salt Lake City, Utah, handed down an eight-count indictment charging Edwin A. Stene, age 53, with four counts of 18 USC 1461, obscenity, and four counts of 18 USC 2252, child pornography. Stene, also known as Edna Stevens, was arrested on January 17, 1984, in Ogden, where he was a 23 year veteran of the U.S. Forest Service. A search of his residence subsequent to his arrest yielded over 1,000 child and adult obscene pornographic photographs. On August 20, Stene was sentenced to 10 years in prison after pleading guilty to mailing child pornography and obscenity.

San Angelo, TX

Jesse Mike Broman, age 45, was indicted in the Northern District of Texas on March 6, 1984, for violation of 18 USC 1461 and 2252. He surrendered to U.S. Marshals and was arrested on March 7. Broman sold child pornography video tapes and magazines through the mail to undercover Postal Inspectors in Houston and New York. A search warrant executed at Broman's residence on February 23 disclosed video tapes, magazines, correspondence and equipment, which were seized. Broman has been employed by the City of San Angelo as a fireman for 18 years and holds the rank of Lieutenant. He had been active in coaching boys' sports and had been president of the local teenage association for a number of years. At one time, he was a ymca group leader. On July 30, Broman was sentenced to three years probation and fined $12,500.

Los Angeles, CA

Catherine Stubblefield Wilson, also known as Black Cathy, was the ring leader and operator of a major mail order pornography operation and had been the subject of several investigations by the Inspection Service since 1977. At that time, she moved from the wholesale distribution of adult-type materials into the retail distribution of child pornography materials through the mails under several assumed names. Wilson took special care to avoid identification by law enforcement agencies during her operation. These measures included the use of a foreign mail drop and a foreign bank account, and the mailing of her advertising materials and films from various cities in the Southwestern United States.

On June 29, 1984, Wilson was tried before the U.S. District Court, Central District of California, where she was found guilty of all counts of a 15-count indictment charging her with violations of title 18, U.S. Code, section 1461 (Mailing of Obscene Matter) and section 2251 (The Sexual Exploitation of Children Act).

On July 20, she was sentenced to serve 10 years in prison and fined $10,000 on each of two counts to run concurrently. The court imposed three years probation on each of the remaining 13 counts, to run concurrently.

East Greenwich, RI

A task force of Postal Inspectors, U.S. Customs Agents, and local police officers arrested John B. Munroe, a school teacher at the Rocky Hill School on July 25, 1984, following a controlled delivery of child pornography. Rocky Hill is an exclusive private school located in East Greenwich, RI. The subject was charged with violations of title 18, USC 2252, The Sexual Exploitation of Children Act, relating to his mailing and receipt of child pornography. The task force also executed a search of munroe's residence, an apartment on the grounds of the Rocky Hill School. Magazines, films, and other materials depicting sexually explicit activities involving children were seized, as well as personal papers and correspondence.

On August 16, Munroe appeared in U.S. District Court, Providence, RI, and pled guilty to one count of 18 USC 2252. He was sentenced September 19, to two years supervised probation with psychiatric assistance as directed by the U.S. Probation Office. Munroe resigned his teaching position after having been a teacher at seven schools in the preceding 15 years.

Locke, NY

On July 25, 1984, a Federal Grand Jury at Syracuse, NY, indicted John F. Hall, on two counts of mailing obscene matter in violation of 18 USC, section 1461 and one count of mailing material depicting minors engaging in sexually explicit conduct in violation of 18 USC, section 2252(a)(1). Hall has pled guilty to the one count of violation of section 2252 and his sentencing is pending.

On July 6, 1984, Hall, age 42, was arrested by Postal Inspectors assisted by the New York State Police. On this same date a federal search warrant was executed on Hall's property which resulted in the seizure of a large amount of child pornography photos, films, books and photographic equipment.

Hall had been an elementary school teacher in the Moravia, NY School District since from 1972 and was Principal since 1980 of Millard Fillmore Elementary School in Moravia. He resigned from this position on July 9.

I might add that these cases are not exceptional in anyway, but are rather typical in terms of the types of individuals we have identified as being involved with child pornography. The overseas connections mentioned in a few of the case examples are also common characteristics of these investigations.

While the overall pervasiveness of this problem, as well as the cases I have cited above, may be shocking, I do feel we are making progress in this area in two respects. First, we are now enforcing a strengthened group of federal child pornography statutes. Last May, Congress passed amendments to The Protection of Children Against Sexual Exploitation Act of 1977, which eliminated such obstacles as the need for commercial transaction in connection with the manufacture and distribution of this type of material and the requirement that the material meet the legal test for obscenity as defined in Miller vs. California. the age of the children protected under the Statute was raised from 16 to 18 and substantial increases in fines for those convicted were also enacted. We feel these legislative changes will permit us to do a more effective job in eliminating child pornography from the mails.

Second, we feel there is a greater public awareness than ever on the subject of child abuse and child pornography. This awareness will help to prevent child abuse which, in turn, should reduce the availability of child pornography. This increased awareness is an asset to law enforcement because a greater flow of information on child abuse and child pornography is likely to be passed on to the authorities who can take appropriate action against the offenders. I feel hearings such as this one today are one of the reasons we have a greater public awareness of this problem and I commend you and the members of your subcommittee for sponsoring this worthwhile forum.

Mr. Chairman, it has been my pleasure to report to you the efforts of the Postal Inspection Service to enforce federal laws prohibiting the mailing of child pornography. I will be happy to answer any questions you may have.

PREPARED STATEMENT OF WILLIAM DWORIN, DETECTIVE, LOS ANGELES POLICE DEPARTMENT, SEXUALLY EXPLOITED CHILD UNIT

The Sexually Exploited Child Unit is responsible on a Citywide basis for the following duties:

A. Seeking out and investigating violations of state and federal laws pertaining to the sexual exploitation of children when:

  * Children under 16 years of age are exploited for commercial purposes.

  * The exploitation activities are of an organized nature.

  * The suspect is a recidivist and/or multiple victims may be involved.

B. Exchanging information with outside agencies concerning sexual exploitation victims and suspects.

C. Maintaining files on all suspects who molest, annoy or commit certain sex crimes against juveniles.

Additionally, due to the expertise possessed by the Sexually Exploited Child Unit in the field of sexual exploitation of children, the Unit's personnel are called upon to carry out a number of special assignments within the Department and the community. These include:

A. The training of police personnel.

B. Community liaison and community awareness presentations.

C. Liaison with other law enforcement agencies.

Formed in 1977, the Unit has conducted numerous investigations, not only on a local level but on a national and international level as well. Cases originating in Los Angeles have resulted in the arrest and conviction of child molesters and producers of child pornography in other states and other countries and have identified persons who are actively involved in pedophile organizations world-wide. These organizations ostensibly advocate the sexual liberation of children and children's rights and are lobbying to eliminate the age of sexual consent for juveniles who "willingly" engage in sexual activity with adults.

A unique characteristic of the pedophile is that the pedophile takes pride in his/her sexual involvement with children. Unlike the total stranger who uses force or violence to molest children or the incestuous parents who might use duress, the pedophile seduces the child through affections and attention. Child pornography plays an important roll with the pedophile. Pornography is frequently displayed to children to lower their inhibitions by graphically showing that other children are engaged in similar sexual activity. After lowering a child's inhibitions, sexually explicit or nude photographs are taken of the victims. The pedophile can then fantasize and relive his experiences, encouraging him to seek out other victims. The child pornography is exchanged with other pedophiles sharing specific interests such as age preference and sex of the victim.

Because the pedophile believes that society is wrong in condemning the sexual activities between adults and "consenting" children, groups have been formed to lobby for changes in laws relating to molestation and to justify the groups' stand concerning the sexual liberation of children and children's rights. Such groups as the North American Man/Boy Lovers Association (NAMBLA) and the Rene Guyon Society have been publicly recognized in the media. NAMBLA members openly march in gay rights parades, carrying their banners proclaiming the acceptance of man/boy love. The spokesman for the Rene Guyon Society claims 5,000 members and uses the motto "Sex before year eight or else it is too late" and brags that a four year old's anus can accept an adult's penis without pain.

Other organizations exist which also proclaim such children's rights. The Child Sensuality Circle in San Diego has been in existence since the late 1960's and has world-wide membership. The Pedophile Information Exchange (PIE) headquartered in London, distributes its newsletters and contact magazine to many members in the United States. In its latest newsletter PIE complains of having to disband because of "police intervention and harrassment." The Pedo Alert Network (PAN) publishes articles warning pedophiles of police undercover activities and overzealous police departments while offering advice on avoiding apprehension. The Lewis Carol Collectors Guild is headquartered in Chicago and publishes a newsletter "Wonderland." This newsletter contains stories and articles of interest to the pedophile as well as identifying and exposing undercover police operations. In addition "Wonderland" publishes ads allowing pedophiles to contact one another.

Although these groups operate under the guise of children's rights and freedom of speech and the free press, they are, in fact, encouraging the sexual molestation of children. Pedophiles joining these groups are frequently placed in contact with other pedophiles having the same preference in children. Recognition by the pedophile that others have similar sexual interests, demonstrated by the exchange of child pornography, encourages the pedophile to act out his desire. These organizations function as support groups where pedophiles are encouraged to molest children, recognizing that other have the same interests and are also engaged in sexual activity with children. There is no known cure for the pedophile.

Law enforcement must taken a proactive stance in investigating the pedophile. The Los Angeles Police Department recognizes that many child molest victims are seduced into the acts and into child pornography and become "willing victims," victims who do not want to get their "best friend," the pedophile, into trouble. The Sexually Exploited Child Unit has identified persons having a sexual interest in children from United States Customs seizure lists of child pornography, from customer mailing lists seized from distributors such as Cathy Wilson, from evidence seized in local investigations, and from a network of officers throughout the United States and Canada who are also investigating the pedophilic child molester. The Unit has also monitored the various organizations and has identified members of these groups. Through surveillance and undercover operations the Unit has also identified juveniles frequenting the suspects' residence and through interviews, obtained crime reports resulting in the arrest and conviction of many pedophiles.

The Los Angeles Police Department has found that public awareness play a key roll in identifying pedophiles. Members of the Sexually Exploited Child Unit are frequently asked to speak before parents and civic groups. By describing how a pedophile operates and encouraging parents to listen to their children, many juvenile victims have been identified and their molesters arrested. The public awareness program brings to the parent's attention that children frequently tell them indirectly that they have been victimized by making comments such as "mommy, Mr. James shows me funny magazines" which should alert the parent to possible harm.

The Sexually Exploited Child Unit also works closely with the media. One officer, Detective Gary Lyon, acted as a consultant to a segment of the television series "Different Strokes" which dealt with the pedophile. After this program was aired, over forty cases of sexual abuse were brought to the attention of the authorities throughout the United States. The Department has recognized that through preventive education, many children can avoid becoming victims of the pedophile.

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THE SEXUALLY EXPLOITED CHILD

By: William G. Thorne
Lieutenant of County Detectives
Bergen County Prosecutor's Office

The Bergen County, New Jersey Prosecutor's Office is composed of seventy-eight investigative personnel, thirty-two assistant prosecutors and forty-four support staff. The office is divided into squads, one of which is the Sex Crime/Child Abuse Squad.

The Sex Crimes/Child Abuse Squad is made up of seven investigators, one lieutenant and two assistant prosecutors. There are several purposes for the existence of this Unit.

First, a detective or investigator from the Unit is always on call, on a twenty-four hour basis, to respond to assist the local police whenever a sex crime or sexual exploitation comes to their attention. The special training of these individuals ensures that all appropriate evidence, i.e., "the rape kit," photos, clothing, etc., is gathered to develop the strongest possible case.

Second, we believe it to be far better emotionally for a victim of a sex crime, especially a child victim and the child's parents, to be in contact with a prosecutor's representative from the very beginning of the case. Having that person available for the victims in order to talk to them and to answer any questions that they may have will hopefully serve to reassure them that the so called "system" recognizes that they are victims who will receive both assistance and sympathy for the duration of the case.

Third, our Unit provides a central place at which information gathered by the various local and state agencies can be coordinated and lead more quickly to the identification, arrest and conviction of offenders. A computer containing information on all known and suspected sex offenders in and out of Bergen County has resulted in the apprehension of numerous individuals who have committed heinous offenses on the adult and child population of the State of New Jersey and surrounding states.

From January 1, 1984, to the present we have arrested over one hundred adult males for sexually molesting children. For the purpose of investigation and interviewing techniques we classify pedophiles into three distinct groups:

1. The incestuous parent
2. The child molester
3. The pure pedophile

The incestuous parent, usually the father, will repeatedly sexually abuse his daughter or daughters until she becomes aware that what is taking place between her and her father is wrong. She will then tell her mother or some other adult or even a girlfriend about this problem. That person will then report to a social service agency or police department. It is a relatively easy task for the police to get the father to admit to the crime and for the police to have the father seek the aid of a psychologist or psychiatrist. The incestuous father will seldom molest outside of the home, and most probably be treated as an out-patient in an appropriate setting.

The child molester, on the other hand, is a man who usually uses the hit and miss method of attack. This man will sexually assault a child sometimes inflicting bodily harm. He will then move on to another victim. There is no ongoing relationship between the molester of the victim. The molester leaves clues and he will eventually be apprehended.

The pure pedophile is the outstanding problem to the sexual safety of our society's children. The pure pedophile uses all the persuasive powers at his disposal to lure and coerce his victims and sometimes even his victim's parents to commit or allow sexual exploitation to exist. The pure pedophile actually courts or woos his victims. His association is very similar to that of a man-woman dating relationship. He spends money, gives gifts, and generally buys the companionship of his victim.

The pedophile is generally a man with extremely poor peer relations. He usually is employed, unmarried, and he gives many hours of voluntary unpaid service to community activities which involve children. He will have dozens of victims. Most of the victims eventually become willing victims. In Bergen County, for the first ten months of 1984, just over one hundred adult males were arrested for sexually molesting children under the age of sixteen. While much media attention has been given to this problem, we have found that the vast majority of the men committing these crimes against children act independently of each other and are not part of any organized pedophile group.

In 1982 this Unit became aware of an organized pedophile group known as the North American Man Boy Love Association, known as NAMBLA. Information was received that some of NAMBLA's members were residing in Bergen County, New Jersey. Because of this awareness, we began an investigation into the activities of these men and the investigation resulted in the arrest of two active NAMBLA members and two men who had attended NAMBLA meetings but were not active within the organization.

On June 18, 1982, Mr. James Cooper, age forty-one, of

Paramus, New Jersey, was arrested for aggravated sexual assault on a fourteen-year-old boy. On February 3, 1984, Mr. Cooper was convicted at trial of two counts of Criminal Sexual Assault and two counts of Criminal Sexual Contact. Mr. Cooper was sentenced to five years, New Jersey State Prison. Mr. Cooper was the recording secretary (the New York Chapter) of NAMBLA.

A search warrant executed on Mr. Cooper's home resulted in the seizure of numerous items that were used for the furtherance of NAMBLA activities and for the fulfillment of Mr. Cooper's sexual preferences.

Among the items seized from Mr. Cooper's house were numerous pieces of NAMBLA material such as the monthly NAMBLA Bulletin, checkbooks, meeting minutes and video cassette tapes of NAMBLA conferences. In addition, a computer and software, hundreds of slides and photos depicting boys, a mimeograph machine, police radio scanner, and a number of books dealing with man/boy love were recovered.

It must be noted that the great majority of photographs and slides that were seized were of young boys that were wearing clothes. Most of these photos were taken at sports contests and depicted children wearing various sports uniforms. Some photos were apparently random shots of children on a beach wearing bathing suits and others were of children playing in parks or playgrounds. The photos that did depict children in the nude were minimal; however, they did exist.

The photos and slides of children in various types of clothing are significant because they show that a pedophile does not use a child only for definitive sexual pleasures, but he is engrossed totally in the child. He is turned on by the child's body and also by the type of clothing worn by the boy, clothing such as the "macho"-type sports uniforms of hockey, football and soccer. The walls of Mr. Cooper's bedroom were covered with photographs of young male television and motion picture actors similar to the photos found on the bedroom walls of an average teenage female. These photographs illustrated the fact that a pedophile has a preoccupation with the cute, young and clean-cut male body.

Prior to Mr. Cooper's trial and sentencing, the trial judge received over a dozen letters written on Mr. Cooper's behalf by citizens who held Mr. Cooper in high regard. Some of these letters came from teachers, an engineer, an attorney, a director of a municipal recreation program, and friends who knew Mr. Cooper through civic organizations to which he had belonged. Most of these letters referred to the fact that Mr. Cooper was very active in boy scouting, American Youth Hostel Program and youth bowling league. They also cited Mr. Cooper's role as a school teacher. It is interesting to note that these are exactly the type of activities to which a pedophile gravitates: A pedophile must be around kids.

Sometimes our society is lulled into a false sense of security. The lack of knowledge, and the refusal of some persons to admit that the sexually exploited child does exist, has let this problem run virtually unchecked.

I am of the opinion that such groups as NAMBLA, René Guyon Society and others are not a severe threat to our children. Our intelligence on NAMBLA shows that there are seventy-five to one hundred active members. It shows also that approximately one thousand NAMBLA bulletins are distributed every month. Most are sold in seven book stores in the United States (three in New York City, one in Philadelphia, one in Atlanta and two in Los Angeles) and in one store in Ontario, Canada. It is the pedophile with no organized affiliations who is the threat to our children.

It is also my opinion that because of the attention that has been given NAMBLA and other such groups by the media, the general public, police and social services personnel have become more aware of this problem. NAMBLA representatives have appeared on local and national television shows and expressed their views on child sex. The population has not agreed with these views, particularly those that advocate the abolishment of the age of consent. There has been a huge public outcry to discredit these organizations and to expose the groups for what they are: These groups exist solely to permit the sexual exploitation of our children for the gratification of adults. The population of this country is now demanding that law enforcement agencies on all governmental levels take an active role in combating this threat to children.

As a law enforcement official who is active in the investigation of child sexual exploitation, I believe that several measures can be implemented to prevent future exploitations:

1. Establishment of a central registry on the federal level to be responsible for the collection, organization and dissemination of pedophilia intelligence information. A necessary element to the usefulness of this registry will be the cooperation (heretofore almost non-existent) among law enforcement officials on all levels: federal, state, county and local.

2. Allocation of monies for equipment to educate our children, parents, school personnel and other child custodians about the existence of the problem, the nature of the acts and the methods of preventing future exploitation.

3. Standardization of police academy training procedures in the area of the detection and prosecution of pedophiles.

In conclusion, the existence of pedophilia and child sexual exploitation is a fact of life in the United States. It is my belief that the current investigations of these activities have been of a "tip of the iceberg" nature; the problem is more widespread than any of us want to conceive.

This problem, however, is not insurmountable, as witnessed by the willingness of citizens in Bergen County, as well as in other jurisdictions, to put credence in the testimony of children and to convict individuals accused of these crimes. Public reaction to these pedophiles has been negative; the people of the United States are not prepared to accept the pedophile philosophy under the guise of sexual liberation. The efforts of law enforcement to eliminate child sexual exploitation must be accelerated with the help of improved legislation and with the cooperation of these persons who are in a position to report possible situations of exploitation. It must be expressed clearly to all pedophiles that the children in the United States are not for sale and they are not instruments of sexual gratification. Our children are our legacy to the future and the legacy should be allowed to mature, absent these predatory individuals whose aim is to undermine our children's sexual normalcy.

THE SEXUALLY EXPLOITED CHILD UNIT
OF THE
LOS ANGELES POLICE DEPARTMENT

INTRODUCTION

The sexual exploitation of children is a sensitive and emotional topic which has received increasing public attention in recent years. While children have been sexually exploited for centuries, only recently have authorities begun to understand the severity and scope of the problem. The common belief that children are the victims of sexual molestation on an infrequent and isolated basis is gradually being replaced by the knowledge that there exists a significant pedophilic population that actively preys upon children. (Pedophilia is a sexual perversion in which children are the preferred sex objects.) One recent study on sexual offenders revealed that the child molest offenders studied averaged 68 attempted or completed child molestations each. The widespread misconception that child molestation consists solely of children being seized off the street and forcibly molested is also undergoing a gradual change. To be sure, these incidents do occur. In terms of numbers, however, these cases represent a small minority of the total child molestation picture. The vast majority of child molestations are generally accomplished by adults who seduce children, non-violently, through subtle intimidation and persuasion. Child pornography is one aspect of the sexual exploitation of children and it is a large, lucrative business of international proportions.

It is interesting to note that information contained in this publication is consistent with that emerging from the disciplines of medicine and psychology. Following is a discussion on the sexually exploited child problem and measures the Los Angeles Police Department's Sexually Exploited Child Unit is taking to curb it.

PROBLEM

The sexual exploitation of children is manifested in three primary categories: 1) the physical molestation of children; 2) child prostitution; and, 3) child pornography. All three categories are interests of the pedophile, for without such individuals there would be little demand for these perversities. It is, however, recognized that the problem of incest and its relationship to these offenses would still exist.

PORTRAIT OF THE PEDOPHILE/CHILD MOLESTER

The traditional picture of the child molester as a dirty old man huddled on a street corner with his trench coat and bag of candy has been effectively dispelled through information obtained in sexually exploited child investigations in recent years. Child molesters come from all walks of life and from all socioeconomic groups. Their methods of operation are generally far more sophisticated than driving about soliciting children.

Pedophiles are usually males ranging in age from young adults to elderly persons. Their occupations range from unskilled laborer to corporate executive. They generally relate far better socially and sexually to children than they do to adults, and often associate socially with few adults except other pedophiles. Many correspond or regularly communicate with other pedophiles. Some seek employment or volunteer programs involving children and most frequent areas where children congregate (i.e., recreational areas). Although most are intelligent enough to recognize their problem and understand its severity, they rationalize their involvement with children, emphasizing their positive impact upon the victims and repressing the harm they have done. Some openly advocate adult-child sexual activity, claiming that it promotes the emotional and mental development of a child. This, of course, is also a rationalization.

Some studies have shown that many pedophiles were themselves sexually abused at an early age. They frequently seek out victims within a certain age group. In fact, most suspects in these cases prefer children of a certain age group or particular stage of physical development. For example, one pedophile may be sexually attracted only to boys between the ages of nine and eleven or those children in that stage of physical development. As such, he will foster relationships with children in this age range and then sexually exploit them. When the children pass the age of eleven, the pedophile will usually terminate these relationships, sometimes "passing on" the children to another pedophile whose preference might be for children from ages eleven to thirteen or, again, in that stage of physical development. Generally speaking, child prostitution is perpetrated by individuals who are pedophiles. The sexual involvement of the children with adults for money merely becomes an extension of the sexual relationship with the pedophile, who sometimes acts as a pimp in these situations.

The method of operation utilized by these particular suspects is usually the same. They spend time developing relationships with the children they desire to exploit (several cases have disclosed that they may be familiar with one or both of the children's parents). They take them to the park, the beach, the movies, or amusement parks--wherever the children want to go. In addition, they may buy the children gifts, anything from candy or a pair of skates to an expensive vacation or a car. When a positive rapport has been developed with the children, the suspects usually make sexual advances toward them. Children are seduced in much the same manner as one adult might be seduced by another in a courtship.

Pornographic material depicting children involved in sexual activities is frequently utilized to stimulate children and lower their inhibitions. The suspect tells them that sexual activity is normal and the photographs are used as supportive evidence. Suspects may resort to furnishing children with alcohol, drugs or narcotics which dulls the senses and makes the children more susceptible to engage in this type of activity. During this time, the suspects continually provide encouragement to the victims by telling them there is nothing wrong with it, e.g., If they (the children in the pornographic pictures) can do it, you can too.

Most of the child pornography that exists is the product of pedophiles. During the course of their sexual activity with children, photographs and movies are taken which they use for sexual fantasies at a later time. Some of these photographs may also appear in publications such as "Moppets", "Lollitots", "Lolita", and others. Additionally, some of the movies portraying these activities are reproduced and distributed both privately and commercially. The sale of child pornography is estimated to be a multimillion dollar business involving an international network of pedophiles and purveyors of child pornography.

PORTRAIT OF THE SEXUALLY EXPLOITED CHILD

In many, if not most instances, the victims of these crimes are "willing" participants. They are willing in the sense that they are induced to engage in this activity in a variety of ways, rather than being seized off the street and forced to participate. They are usually from unstable homes and are lacking a loving, attentive home environment. Generally speaking, they do not have strong moral or religious values and do not possess the fortitude to overcome situations wherein they are sexually exploited. The victims are usually between eight and sixteen years of age, and are often underachievers in school and at home. They lack proper parental supervision and are often runaways. As such, they spend the majority of their time in public places e.g., parks, theaters, arcades, etc. These children are seeking attention and affection, which makes them extremely vulnerable to the wiles of pedophiles.

Pedophiles are able to find "willing victims" because they offer friendship, interest and a concerned attitude that many parents are unable or unwilling to provide. All too often parents will come home from work too tired to do much more than eat a quick meal, accomplish some work about the house and relax for the evening. Attempts by the children to get attention and affection are met with polite disinterest or, at times, antagonism. The single parent family appears particularly vulnerable to the pedophile. It seems that in many cases they are simply unable to provide the psychological environment that a child needs. These situations contribute to the success of the child molester as he can, and most certainly will, provide the caring and attention, however superficial it may be, which is lacking at home.

EFFECTS ON THE VICTIMS

Effects on the victims of these crimes may be recognizable immediately, however, they do not necessarily point to sexual exploitation as the causation. Other social problems may give rise to the same effects. An immediate reaction usually entails emotional and behavioral problems wherein the juvenile has difficulty in relating to family and friends. Most children are not equipped to handle such emotional trauma at this stage of their development. If the child's friends learn of the incident, the emotional impact can be devastating.

The long-term effects of sexual exploitation could be even more serious. The victim may have extreme difficulty in relation normally to a sexual partner later in life and may develop abnormal sexual preferences. As previously indicated, he may actually turn to molesting children himself.

THE SEXUALLY EXPLOITED CHILD UNIT

In September 1976, the Los Angeles Police Department created a task force within its Juvenile Division to assess the nature and scope of the sexually exploited child problem. The task force investigations revealed a consistent pattern of sexual abuse similar to that previously outlined. Because of the close relationship that often exists between suspect and victim, crimes of this nature may go unreported. Investigations often require lengthy surveillances and interviews. Victims are initially reluctant to discuss their involvement with adult suspects because of feelings of guilt and/or a sense of loyalty. Many, in fact, describe the suspects as their "best friend". Detectives frequently spend hours building rapport and trust with child victims in order to obtain crime reports.

The task force demonstrated a clear need for a specialized investigative unit with the expertise and ability to conduct lengthy investigations pertaining to the sexual exploitation of children. That need was acknowledged by the Department, the City Council and concerned citizens of the City.

THE UNIT AND ITS RESPONSIBILITIES

The Sexually Exploited Child Unit is staffed by nine detectives. They are responsible on a City-wide basis for the following duties:

A. Seeking out and investigating violations of state and federal laws pertaining to the sexual exploitation of children when:

  - Children under 16 years of age are exploited for commercial purposes.
  - The exploitation activities are of an organized nature (e.g. a child prostitution ring).
  - The suspect is a recidivist and/or multiple victims may be involved.
  - An investigation is requested by detectives in any of the 18 geographic police "Areas" of the City, and approved by the Commanding Officer of Juvenile Division.
  - An investigation is directed by the Commanding Officer of the Department's Detective Services Group.

B. Exchanging information with outside agencies concerning sexual exploitation victims and suspects.

C. Reviewing all crime and arrest reports relating to sexually exploited children.

D. Maintaining files on all suspects who molest, annoy, or commit certain sex crimes against juveniles.

SPECIAL RESPONSIBILITIES OF THE UNIT

Due to the expertise possessed by the Sexually Exploited Child Unit in the field of sexual exploitation of children, the Unit's personnel are called upon to carry out a number of special assignments within the Department and in the community. These include:

A. The training of police personnel. The SEC Unit's staff trains police personnel at the Police Academy regarding the sexual exploitation of children. Instructors are provided for the Department's Juvenile Procedures School, Basic Detective School, Vice School, Advanced Officer In-Service School, and the Detective In-Service School.

B. Community liaison. Public awareness of the problem has been enhanced by SEC Unit detectives providing lectures and presentations to community organizations. These include PTA groups, Los Angeles Unified School District personnel, medical groups and many more. Presentations have been well-received and have clearly increased community awareness.

C. Liaison with other law enforcement agencies. The SEC Unit has established working relationships with local, state, federal and international law enforcement agencies. These working relationships have been directly responsible for the apprehension of major producers and distributors of child pornography.

D. Legislation. Members of the SEC Unit have testified before federal and state legislative bodies for stronger legislation in the area of sexual exploitation of children. There is new legislation now in effect at both the state and federal levels that deal exclusively with this problem. New state legislation, under Labor Code Sections 1309.5 and 1309.6, has caused the majority of child pornography to be removed from public view.

CONCLUSION

Much has been done to identify and understand the problems surrounding the sexual exploitation of children. This knowledge has enabled the Los Angeles Police Department to mount a strong, ongoing enforcement effort which has resulted in the arrest and conviction of numerous child molesters. These efforts will continue

Juvenile Division
June 16, 1982

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